



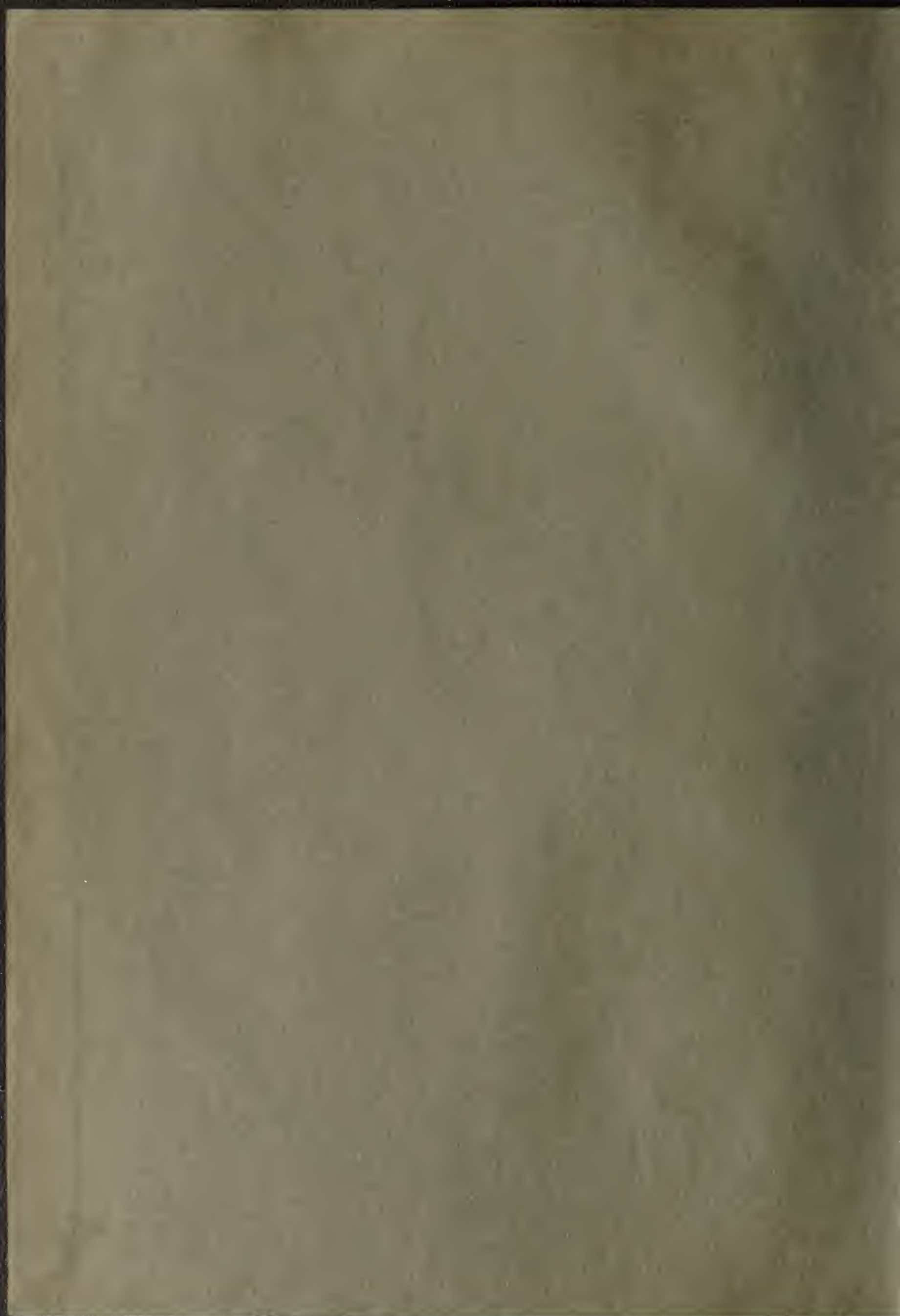


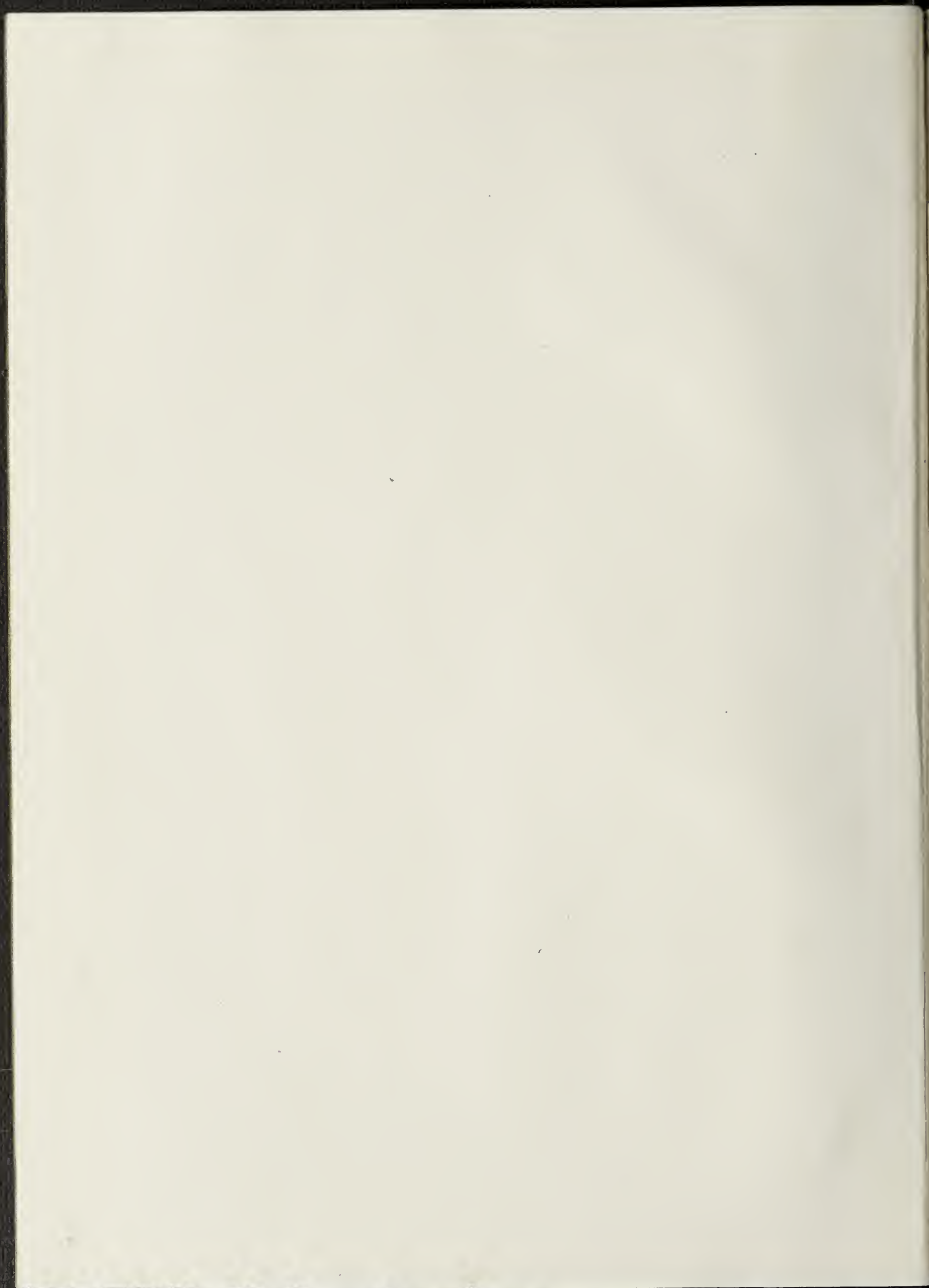
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 1

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Rules Directory.

The Hearing Calendar.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Factory Exit Rules.

Smoking in Factories, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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DOCKET

New Cases Filed up to December 26, 1939

Cal. No.	Department	Premises Affected
1526-39-BZ....	H.B.B.....	218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn, N.B. 3013-39.
1527-39-A.....	H.B.Q.....	150-24 Northern boulevard, southwest corner of 50th place (Block No. 5032, Lot Nos. 24 and 25), Flushing, Borough of Queens, Misc. Applic. 6674-39.
1528-39-A.....	H.B.Q.....	4-21 26th avenue, north side, 200.19 ft. east of Perrot place (Block No. 907, Lot No. 1), Long Island City, Borough of Queens, N.B. 10125-39.
1529-39-BZ....	H.B.B.....	308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn, N.B. 2979-39.
1530-39-BZ....	H.B.Q.....	89-38 70th drive, southeast corner of Sybillia street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens, Alt. 1412-39.
1531-39-A.....	H.B.B.....	390-408 Morgan avenue and 370-416 Jackson avenue, southeast corner (Block No. 2887, Lot No. 1), Borough of Brooklyn, N.B. 4-39.
1532-39-BZ-WF.	H.B.Q.....	111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens, Applic. 9239-39.
1533-39-A.....	F.D.....	88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851, Lot No. 51), Glendale, Borough of Queens, 81832-C.
1534-39-SM.....		Sterling Building Blanket, manufactured by Sterling Fibre Products, Material.
1535-39-A.....	H.B.Q.....	95-17 155th avenue, north side, entire block bounded by 155th

avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens, N.B. 7817-38.

1536-39-A.....H.B.Q.....95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens, N.B. 7818-38.

1537-39-A.....H.B.Q.....155-04 Killarney street, southwest corner of 155th avenue (Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens, N.B. 7820-38.

1538-39-A.....H.B.Q.....99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens, N.B. 7819-38.

1539-39-SM.....Kramer Vacuum Breaker, manufactured by MacDonald Hardware Manufacturing Company, Material.

1540-39-A.....H.B.M.....30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan, Alt. 3760-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules.....	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
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Range Oil Burners and Space Heaters	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov.	7, 1939—Vol. 24, No. 45

JANUARY 3, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 845-39-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 566-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Nicholas F. Walsh, applicant, on behalf of Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 140

Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 148-35-BZ—Application of William J. Minogue, applicant, on behalf of 170 Dyckman Street Corporation, owner, reopened June 7, 1939, under sections 7a and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the conversion of occupancy of the 2nd story of an existing building from office use, previously granted by the board, to bowling alleys; premises 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

CAL. NO. 422-39-BZ—Application, April 4, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bonded Lien Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 390-39-BZ—Application, March 29, 1939, under sections 7h and 21 of the building zone resolution, of John B. Leonard, applicant and lessee, on behalf of Ruth Allison Lilly, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5)

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motor vehicles; premises 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 1115-39-BZ—Application, September 11, 1939, under sections 7a and 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), to permit the extension of an iron works from an unrestricted use district into a business use district; premises 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Thomas I. Sheridan, applicant and lessee, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 1206-39-BZ—Application, October 3, 1939, under section 7a of the building zone resolution, of James Lewis Munson, applicant, on behalf of Menley & James, Ltd., owner, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons); premises 91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft.

east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1453-39-A—165-18 South road, south side, 110.63 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

1433-39-A—32-42 and 32-52 33rd street, west side, from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens.

1370-39-A—595-597 Wales avenue, northwest corner of East 150th street (Block No. 2642, Lot Nos. 56-59), Borough of The Bronx.

1401-39-A—180 South street, west side, 140 ft. south of Roosevelt avenue (Block No. 110, Lot No. 14), Borough of Manhattan.

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1414-39-A—331-353 McKibben street, northwest corner of Bogart street (2nd floor); (Block No. 3083, Lot No. 30), Borough of Brooklyn.

1400-39-A—64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (1st floor, north); (Block No. 1718, Lot No. 1), Borough of Brooklyn.

1459-39-A—536-546 West 23rd street, south side, 225 ft. east of 11th avenue (Block No. 694, Lot No. 58), Borough of Manhattan.

1481-39-A—9-15 East 135th street, north side, 100 ft. east of Fifth avenue and 10-16 East 136th street (Block No. 1760, Lot No. 5), Borough of Manhattan.

1406-39-A—175-177 North 7th street, north side, 175 ft. east of Bedford avenue and 182 North 8th street (Block No. 2320, Lot Nos. 30 and 31), Borough of Brooklyn.

1485-39-A—104-05 35th avenue, north side, 170.20 ft. west of 105th street (Block No. 1744, Lot No. 31), Corona, Borough of Queens.

1480-39-A—73-03, 73-07 and 73-11 185th street, southeast corner of 73rd avenue and east side of 185th street, 47.88 ft. and 87.88 ft. south of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

1512-39-A—157-21 Liberty avenue and 94-76 158th avenue, southwest corner (Block No. 10109, Lot Nos. 31 and 34), Jamaica, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January 3, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 351-35-BZ—Application of Jerrold Kane, applicant, on behalf of Camager Corporation, owner, reopened November 28, 1939, re extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the maintenance of a parking space for more than five (5) motor vehicles for a temporary period; premises 35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

CAL. NO. 736-38-BZ—Application of Rockefeller Center, Inc., applicant and lessee (The Trustees of Columbia University in the City of New York, owner), reopened November 28, 1939, for consideration—re amendment of resolution—re Application, to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a

garage (permission to erect which was granted by the Board under section 7g of the building zone resolution), on the 48th street side of building; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 5984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Sannuels and Sannuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and

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41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and restored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing

garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-11 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koepfel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years,

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the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1940, 2 P. M.

Appeals from Administrative Decisions

1-30-39-A—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.

1297-39-A—176 East 19th street, west side, 150 ft. north of Beverly road (Block No. 5122, Lot No. 30), Borough of Brooklyn.

1445-39-A—47-46 11th street, northwest corner of 48th avenue (Block No. 45, Lot No. 22), Long Island City, Borough of Queens.

1461-39-A—143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens.

1177-39-A—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 122), Woodside, Borough of Queens.

3-40-A—47-14 56th drive, south side, 97.98 ft. east of 47th street (Block No. 2554, Lot No. 50), Laurel Hill, Borough of Queens.

7-40-A—414-415 Riverside drive, east side, 52 ft. $\frac{7}{8}$ in. south of West 114th street (Block No. 1895, Lot Nos. 75, 78 and 79), Borough of Manhattan.

1454-39-A—1-11 Rockwell place and 84-94 DeKalb avenue, southeast corner (Block No. 2095, Lot No. 20), Borough of Brooklyn.

JANUARY 16, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part

of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 481-59-BZ—Application, April 17, 1939, under sections 7h and 21 of the building zone resolution, of Louis Holtzman and Benjamin Weinberg, applicants and lessees, on behalf of Our Lady Help of Christians Church of Albany, New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 699 East 149th street, north side, 45 ft. east of Trinity avenue (Block No. 2623, part of Lot No. 140), Borough of The Bronx.

CAL. NO. 1357-39-BZ—Application, November 3, 1939, under section 7c of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of New Era Management Corporation, owner, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre; premises 87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

CAL. NO. 1448-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Anthony M. De Rose, applicant, on behalf of Lederer Homes, Inc., owner, to permit in a residence use district and, also, "E" area district, the maintenance of five (5) one-family dwellings not conforming with "E" area requirements; premises 927-935 Elder avenue, west side, 230.25 ft. to 308.25 ft. north of Story avenue (Block No. 3651, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street

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(Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 748-39-BZ—Application, June 7, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George A. Tibbals and Samuel G. Tibbals, owners (Louis Kurfist and Joseph Greenspan, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 37-02 to 37-20 73rd street and

72-02 to 72-30 37th avenue, southwest corner (Block No. 1283, Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 1285-39-BZ—Application, October 17, 1939, under sections 7h and 21 of the building zone resolution, of Manoug Exerjian, applicant, on behalf of Sarkisian Realty Company, Inc., owner (Howard Rosenblatt, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 21-29 44th drive, north side, 90 ft. east of 21st street (Block No. 438, part of Lot No. 6), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1940, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

JANUARY 23, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1216-39-BZ—Application, October 25, 1939, under sections 7a and 7c of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of 352 West 44th Street Corporation, owner, to permit in a residence use district, the alteration and, also, the extension of an existing business use in an existing building; premises 352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan.

CAL. NO. 587-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of The Long Island Railroad Company, owner, to permit partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 1520-1524 Avenue "P", southwest corner of East 16th street (Block No. 6778, part of Lot No. 8), Borough of Brooklyn.

CAL. NO. 28-29-BZ—Application of Sidney H. Kitzler, applicant, on behalf of Philip Gindoff, owner (George Cohen, lessee), reopened April 25, 1939, under section 21 of the build-

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ing zone resolution, to permit in a business use district, the inclusion of an above gasoline service station in a garage for more than five (5) motor vehicles previously granted by the Board (a portion, only, of which was erected); premises 433-443 Empire boulevard, north side, 101 ft. 2 in. east of New York avenue (Block No. 1310, Lot No. 73), Borough of Brooklyn.

CAL. NO. 624-38-BZ—Application, July 14, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Arthur J. Lary, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

CAL. NO. 628-39-BZ—Application, May 16, 1939, under sections 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

CAL. NO. 1256-39-BZ—Application, October 11, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Morris Rosen, owner, to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a

business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1940, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5 1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, ¾ in. heads.
- Tanks over 120 in. in diameter to be of ¾ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), by or using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tanks may be provided with a three-quarter and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$P \times r \times F$$

t equals—

$$T \times E$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5 5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6 2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unneeded tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plants, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump	763-25-SA
American Marsh Simplex	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump	628-32-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
Deming Double Oscillating Force Pump	458-27-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Fuel Oil Pump	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump	475-32-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump	60-28-SA
Goulds Rotary Oil Pump	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Triplex Plunger	257-22-SA	Union Steam Pump for Fuel Oil	705-30-SA
Hardinge Fuel Oil Pump	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump	503-24-SA	Warren Oil Pump	1169-23-SA
Koerting Gear Pump	1264-25-SA	Wayne Oil Pump & Fan Set	1155-25-SA
Kraissl Fuel Oil Pump	60-28-SA	Webster Fuel Oil Pump, Types A, Q and T ..	23-34-SA
Leiman Rotary	95-24-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Marsh Fuel Oil Pump	1050-23-SA	Worthington Show Model Duplex	194-22-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Yale and Towne Tri-Rotor Pump	191-39-SA
M. D. Rotary	52-27-SA		

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FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair treads constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fires escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above:—the first story is that part of a building which is more than 50 per cent above the floor level and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvers or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

RULES

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupants as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unob-

structed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article I, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 2

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connec-
tion with which court proceedings are pending or in
progress, unless exception is granted by the chairman, nor
accepted which is not filed within thirty days from the date
of the action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the
rules of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commis-
sioner of buildings or fire commissioner) and file with this
board a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DOCKET

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1541-39-SM.....		Mu-Steel Panel Sections (for constructing gasoline stations), manufactured by Herman A. Mugler, Material.
1542-39-SM.....		Mugler Auto Pit (Lubricating Pit), manufactured by Herman A. Mugler, Material.
1543-39-SM.....		Grip-Tite Inserts for Attaching Metal Laths to Soffits of Concrete Joists, manufactured by Grip-Tite Manufacturing Company, Material.
1544-39-BZ....H.B.B.....		12-20 New York avenue and 187-195 Herkimer street, northwest corner (Block No. 1861, Lot No. 37), Borough of Brooklyn, Alt. 5536-39.
1545-39-BZ....H.B.B.....		2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn, B.N. 6666-39.
1546-39-SM.....		Gypsteel Gypsum Partition Tile or Block, manufactured by American Cyanamid and Chemical Corporation, Material.
1547-39-SM.....		Gypsteel Gypsum Plaster (various finishes) and Kaneite Gypsum Plaster (prepared trowel finish for concrete surfaces), manufactured by American Cyanamid and Chemical Corporation, Material.
1548-39-BZ....H.B.Q.....		171-21 Baisley boulevard and 122-14 to 122-18 172nd street, northwest corner (Block No. 3152, Lot No. 151), Jamaica, Borough of Queens, Misc. Applic. 8584-39.
1549-39-SM.....		Straub Cinder Concrete Block, manufactured by Hud-Cin Building Products, Inc., Material.
1550-39-SM.....		Weatherwood Insulating Fibre Board and Samson Insulating Fibre Board, manufactured by

United States Gypsum Company, Material.

1551-39-A.....F.D.....	161 Perry street, north side, 60 ft. east of West street (5th and 6th floors), (Block No. 637, Lot No. 77), Borough of Manhattan, 19989-L.C.
1552-39-BZ....H.B.Q.....	32-15 Crescent street, northeast corner of 33rd (Ridge) street (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens, Misc. Applic. 9472-39.
1-40-BZ....H.B.Q.....	135-15 Liberty avenue, northwest corner of Van Wyck boulevard (Block No. 9503, Lot Nos. 44, 46 and 47), Dunton, Borough of Queens, N.B. 10043-39.
2-40-BZ....H.B.Q.....	South side of 45th avenue, 180 ft. east of 80th street (Block No. 1533, Lot No. 45), Elmhurst, Borough of Queens, Misc. Applic. 6167-39.

Restored to Calendar.

675-22-BZ....H.B.Bx.....	250-272 Willis avenue, east side, from East 138th to East 139th streets, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx, Alt. 805-39
59-39-BZ....H.B.Q.....	113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens, Alt. 9815-38.
767-39-BZ....H.B.Q.....	335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens, Alt. 1002-39.
192-29-BZ....H.B.Q.....	58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 1432, Lot No. 9), Elmhurst, Borough of Queens, N.B. 318-29.
1025-39-BZ....H.B.R.	2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond, N.B. 148-39.

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Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
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Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
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JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

AL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th

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avenue (Block No. 9798, Lot No. 22),
Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and restored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-11 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and

108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

HARRIS H. MURDOCK. *Chairman.*

JANUARY 9, 1940, 2 P. M.

Appeals from Administrative Decisions

1430-39-A—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.

1297-39-A—176 East 19th street, west side, 150 ft. north of Beverly road (Block No. 5122, Lot No. 30), Borough of Brooklyn.

1445-39-A—47-46 11th street, northwest corner of 48th avenue (Block No. 45, Lot No. 22), Long Island City, Borough of Queens.

1461-39-A—143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens.

1177-39-A—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 122), Woodside, Borough of Queens.

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3-40-A—47-14 56th drive, south side, 97.98 ft. east of 47th street (Block No. 2554, Lot No. 50), Laurel Hill, Borough of Queens.

7-40-A—414-415 Riverside drive, east side, 52 ft. $\frac{7}{8}$ in. south of West 114th street (Block No. 1895, Lot Nos. 75, 78 and 79), Borough of Manhattan.

1454-39-A—1-11 Rockwell place and 84-94 DeKalb avenue, southeast corner (Block No. 2095, Lot No. 20), Borough of Brooklyn.

1401-39-A—180 South street, west side, 140 ft. south of Roosevelt avenue (Block No. 110, Lot No. 14), Borough of Manhattan.

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

JANUARY 16, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1940, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner, and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 845-39-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing

gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 481-39-BZ—Application, April 17, 1939, under sections 7h and 21 of the building zone resolution, of Louis Holtzman and Benjamin Weinberg, applicants and lessees, on behalf of Our Lady Help of Christians Church of Albany, New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 699 East 149th street, north side, 45 ft. east of Trinity avenue (Block No. 2623, part of Lot No. 140), Borough of The Bronx.

CAL. NO. 1357-39-BZ—Application, November 3, 1939, under section 7c of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of New Era Management Corporation, owner, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre; premises 87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

CAL. NO. 1448-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Anthony M. De Rose, applicant, on behalf of Lederer Homes, Inc., owner, to permit in a residence use district and, also, "E" area district, the maintenance of five (5) one-family dwellings not conforming with "E" area requirements; premises 927-935 Elder avenue, west side, 230.25 ft. to 308.25 ft. north of Story avenue (Block

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No. 3651, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street

and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 748-39-BZ—Application, June 7, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George A. Tibbals and Samuel G. Tibbals, owners (Louis Kurfist and Joseph Greenspan, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 37-02 to 37-20 73rd street and 72-02 to 72-30 37th avenue, southwest corner (Block No. 1283, Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 1285-39-BZ—Application, October 17, 1939, under sections 7h and 21 of the building zone resolution, of Manoug Exerjian, applicant, on behalf of Sarkisian Realty Company, Inc., owner (Howard Rosenblatt, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 21-29 44th drive, north side, 90 ft. east of 21st street (Block No. 438, part of Lot No. 6), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1940, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1414-39-A—331-353 McKibben street, northwest corner of Bogart street (2nd floor); (Block No. 3083, Lot No. 30), Borough of Brooklyn.

JANUARY 23, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January*

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23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1216-39-BZ—Application, October 25, 1939, under sections 7a and 7c of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of 352 West 44th Street Corporation, owner, to permit in a residence use district, the alteration and, also, the extension of an existing business use in an existing building; premises 352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan.

CAL. NO. 587-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of The Long Island Railroad Company, owner, to permit partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 1520-1524 Avenue "P", southwest corner of East 16th street (Block No. 6778, part of Lot No. 8), Borough of Brooklyn.

CAL. NO. 28-29-BZ—Application of Sidney H. Kitzler, applicant, on behalf of Philip Gindoff, owner (George Cohen, lessee), reopened April 25, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of an alcove gasoline service station in a garage for more than five (5) motor vehicles previously granted by the Board (a portion, only, of which was erected); premises 433-443 Empire boulevard, north side, 101 ft. 2 in. east of New York avenue (Block No. 1310, Lot No. 73), Borough of Brooklyn.

CAL. NO. 624-38-BZ—Application, July 14, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Arthur J. Largy, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

CAL. NO. 628-39-BZ—Application, May 16, 1939, under sections 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

CAL. NO. 1256-39-BZ—Application, October 11, 1939, under section 21 of the building zone resolu-

tion, of Lama and Proskauer, applicants, on behalf of Morris Rosen, owner, to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Thomas I. Sheridan, applicant and lessee, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1940, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—re Application previously granted on

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condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 762-39-BZ—Application, June 9, 1939, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Emigrant Industrial Bank, owner (Paul Morra, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 338-340 East 8th street, south side, 83 ft. west of Avenue "C" (Block No. 390, Lot Nos. 27 and 28), Borough of Manhattan.

CAL. NO. 823-39-BZ—Application, June 20, 1939, under section 7h of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Messmore Kendall, owner (Northeast White Tower System, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 231-235 West 50th street, north side, 255 ft. east of Eighth avenue (Block No. 1022, Lot Nos. 12 and 13 and part of Lot No 5), Borough of Manhattan.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, appli-

cant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

CAL. NO. 1057-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Chemical Bank and Trust Company and Marie Buckley, as sub-trustees u/w of Josephine Guidet Buckley, for benefit of Marie Buckley, owners, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 2002-2014 Neptune avenue and 2802-2820 West 20th street, southwest corner (Block No. 7018, Lot No. 9), Borough of Brooklyn.

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 979-24-BZ—Application of Saul Goldsmith, applicant, on behalf of Joseph A. Redmond and John J. Redmond, owners; reopened October 24, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of a store—previously granted by the Board for the conduct of retail business—to an undertaking establishment; premises 6930 Fourth avenue and 379 Ovington avenue, northwest corner (Block No. 5872, Lot No. 54), Borough of Brooklyn.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

CAL. NO. 89-38-BZ—Application, February 14, 1938, under sections 7h and 21 of the building zone resolution, of Isaac T. Flatto, applicant and owner, to permit in a business use

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district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1682 Palmetto street and 714 Cypress avenue, southeast corner (Block No. 3449, part of Lot No. 6), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 6, 1940, 10 A.M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution. *Tuesday morning, February 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest

corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 767-39-BZ—Application, June 9, 1939; dismissed for lack of prosecution December 19, 1939; reopened and restored to calendar January 3, 1940, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Philip Levison and Estate of Benjamin Anchell, owners (Thomas Kallenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 675-22-BZ—Application of Otto A. Staudt, applicant, on behalf of Herman Stursberg Realty Company, owner; reopened January 3, 1940, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system; premises 250-272 Willis avenue, east side, between East 138th street and East 139th street, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 6, 1940, 2 P.M.

Appeal from Administrative Decision.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, JANUARY 3, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 21, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 21, 1939, as printed in Bulletin No. 48, Vol. 24, and, also, the minutes of the regular meeting of the Board held on Tuesday morning, November 28, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 28, 1939, were approved as printed in Bulletin No. 49, Vol. 24.

BUILDING ZONE CASES

902-38-BZ.

APPLICANT—John R. Kilpatrick, for Madison Square Garden Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district and, also, within 200 ft. of a hospital, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10 and 11 and part of Lot No. 14), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: J. M. Vincent.

For Opposition: Jacob Greenfield.

ACTION OF BOARD—Laid over to January 16, 1940, at 10 A.M. for further consideration by the Board.

310-39-BZ.

APPLICANT—Alexander Ketterson, for Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Rev. Alexander Ketterson and Herman Kron.

For Opposition: A. Taggard and Edgar M. Souza.

ACTION OF BOARD—Laid over to January 9, 1940, at 10 A.M. Applicant to file drawing showing plot layout for parking space, etc.

517-39-BZ.

APPLICANT—Thomas I. Sheridan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years.

PREMISES AFFECTED—33-02 to 33-16 Astoria boulevard, southwest corner of 34th street, and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive, and 30), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel Grabes.

For Opposition: Angelo M. Ferri.

ACTION OF BOARD—Laid over to January 23, 1940, at 10 A.M., on request of applicant's representative.

534-39-BZ.

APPLICANT—Lama and Proskauer, for Emil Lazansky, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Emil Lazansky.

For Opposition: None.

ACTION OF BOARD—Laid over to February 6, 1940, at 10 A.M., for further hearing by the Board.

691-39-BZ.

APPLICANT—Thomas M. Bell, for Gainsborough Studios, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a residence

use district, the installation of a door leading from a restaurant and cafe on the first story of the existing building to the street.

PREMISES AFFECTED—222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas M. Bell.

For Opposition: None.

ACTION OF BOARD—Laid over to January 9, 1940, at 10 A.M., on request of applicant.

845-39-BZ.

APPLICANT—Sidney H. Kitzler, for Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Opposition: None.

ACTION OF BOARD—Laid over to January 16, 1940, at 10 A.M., for inspection by a Committee of Board and further consideration.

1017-39-BZ.

APPLICANT—Edward J. Carr, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward J. Carr, Daniel J. Carroll and Marea Carroll.

For Opposition: Earl I. Gallant and Samuel Rubin.

ACTION OF BOARD—Laid over to January 16, 1940, at 10 A.M., to await reply from building department and for further consideration by the Board.

1392-39-BZ.

APPLICANT—Alfred A. Tearle, for 870 Eighth Avenue Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the Board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle and F. A. Donnelly.

For Opposition: Harry Greenberg.

ACTION OF BOARD—Laid over to February 6, 1940, at 10 A.M., pending determination of Court.

MINUTES

148-35-BZ.

APPLICANT—William J. Minogue, for 170 Dyckman Street Corporation, owner.

SUBJECT—Application reopened June 7, 1939 (re violation order of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the conversion of occupancy of the second story of an existing building from office use, previously granted by the Board, to bowling alleys.

PREMISES AFFECTED—168-170 Dyckman street, west side, 100 ft. north of Sherman avenue, and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Minogue and Morris Green.

For Opposition: J. S. Wikler, B. E. Kopelman, M. G. Halpern and Sara Spencer.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(148-35-BZ)

WHEREAS, this application, to permit partly in a business use district and partly in a residence use district, the alteration and change of occupancy of a garage, previously granted by the Board, to a retail department store; premises: 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue (Block No. 2175, Lot No. 70), Borough of Manhattan, was granted by the Board June 25, 1935, on certain conditions; and

WHEREAS, the owner, through its architect, William J. Minogue, requested a reopening of the application, to permit the change of occupancy of the second story of the building from office use to bowling alleys; and

WHEREAS, this application was reopened by vote of the Board June 7, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Dyckman street and Sherman avenue are in a business use district; Thayer street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re Violation No. 2465-1939, reads:

"You will please take notice that there exists a violation of Section 2.1.3.5 of the Building Code and C26-185.0 of the Administrative Code, at the premises herein-after described in that—

"Having changed the occupancy of the 2nd story from offices to bowling alleys—contrary to Certificate of Occupancy No. 20705, also contrary to modification granted under Cal. 148-35-BZ in that the resolution states 2nd floor 'Offices as indicated on plan.'

You are hereby directed to discontinue the said use of the described building until a certificate of occupancy has been issued by the Commissioner of buildings, for new use and occupancy."

and
WHEREAS, the existing building is of non-fireproof construction, two (2) stories in height, 50 ft. frontage on Dyckman street, 50 ft. on Thayer street and a depth of 200 ft.; it is proposed to convert the occupancy of the second story of

the existing building from office use (previously granted by the Board) to bowling alleys.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 25, 1935, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* under section 7c in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* permitting the portion of existing building to extend into the residential area and to be used for business purposes, as indicated on plans filed with this application, *on condition* that there shall be no show windows opening on Thayer street and no doors for delivery or receipt of merchandise; that such doors as are installed shall be limited entirely and solely to legal requirements for exit purposes only and any other openings shall be the usual double-hung windows, the sills of which shall be not less than 5 ft. above sidewalk grade; that that portion of building within the residential area shall not exceed the existing two stories in height."

Resolved, further, that in the event the owner desires to occupy the second floor as at present occupied by a bowling alley, all windows in the lot line wall toward the north toward Lot 66, within the residential use area, shall be removed and either filled in with brick masonry or with structural glass units, as approved for use in fireproof windows and without openable access panels; that the windows facing on Thayer street shall be fixed and unopenable and that the skylight in the roof shall be entirely removed within the residence portion or replaced with structural glass block, without openings therein; that required ventilation shall be by means of mechanical ventilation and that no additional openings to the outer air within the residential use area shall be constructed.

390-39-BZ.

APPLICANT—John B. Leonard (lessee), for Ruth Allison Lilly, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Domenic T. Aurichio, John B. Leonard and Michael Banzalomeo.

For Opposition: Earl I. Gallant, Sussanah Dunn and Charles E. Cooney.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(390-39-BZ)

WHEREAS, John B. Leonard (lessee), for Ruth Allison Lilly, owner, filed March 29, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises: 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx; and

MINUTES

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 177th street is in a residence use district and that Leland avenue and Thierot avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 28, 1939, reads:

"Your application for a certificate of occupancy to store and park more than five motor vehicles at the above location is hereby denied as the premises are located in a business use district and, therefore, the proposed occupancy is contrary to section 4 of article 2 of the amended Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 59 ft. on Leland avenue, 57 ft. on East 177th street and a distance of 100 ft. along the southerly lot line; upon the rear of the plot there is a frame shed; it is proposed to use the site, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises were the subject of an inspection by a committee of the Board; and

WHEREAS, the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution, and that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h.

Resolved, that the decision of the borough superintendent, dated February 28, 1939, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

422-39-BZ.

APPLICANT—Lama and Proskauer, for Bonded Lien Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Leiman,

For Opposition: Domenick G. Longo, Helen Van Wyck, Salvatore Palatucci and Michael Felis.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(422-39-BZ)

WHEREAS, Lama and Proskauer, for Bonded Lien Corporation, owner, filed April 4, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sixth avenue is in a business use district and that 20th street and 21st street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, Applic. No. 13290-38, dated March 9, 1939, reads:

"Proposed storage and parking of more than five motor vehicles in a business use district, contrary to Art. 2, Sec. 4a, Paragraph 15 of Zone Resolution therefore application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 123.2 ft. on Sixth avenue and 100 ft. on 21st street; it is proposed to occupy the plot, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, to permit the plot under appeal to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only those of the pleasure-car type shall be so stored or parked and only such cars as are capable of operation; that the plot shall be leveled substantially to the grade of the surrounding streets, surfaced with steam cinders, **clean gravel or other suitable material**, properly rolled and bound; that there shall be erected on the interior lot lines and on the street building lines, a substantial woven wire fence of the anchor post type, not less than 6 ft. in height, except for one opening for entrance and exit to 21st street; that such opening shall be toward the center of the plot, not over 15 ft. in width with curb cut opposite of similar width; that all structures on the premises at present shall be entirely removed and that during the term of this variance no building shall be erected except there may be erected a building not over one story in height and not over 100 sq. ft. in area, constructed of new materials and used solely as an office and shelter for the attendant; that signs shall be restricted to one sign attached to the fence not over 15 sq. ft. in area advertising only the storage and parking use, such sign not to extend beyond the building line; that lights for general illumination shall not be installed; that during the term of this variance the premises shall be used for no other purposes than as herein permitted; that all permits required shall be obtained and all work involved completed within three months from the date of this resolution.

459-39-BZ.

APPLICANT—Lama and Proskauer, for Leon K. Rockmore, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more **than two (2) years**, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Leon K. Rockmore.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(459-39-BZ)

WHEREAS, Lama and Proskauer, for Leon K. Rockmore, owner, filed April 12, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises: 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Utica avenue and Remsen avenue are in business use districts; that East 51st street and Rutland road are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 32-39, dated April 4, 1939, reads:

"Proposed storage and parking for more than 5 cars in a business district contrary to Art. 2, Sec. 4, Par. 15 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. and a depth of 100 ft.; it is proposed to use the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a term of two (2) years, to permit the plot under appeal to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only cars of the pleasure-car type shall be so parked or stored; that the plot shall be leveled substantially to the grade of Utica avenue; that there shall be erected on the interior lot lines continuously, and without openings therein, a substantial heavy woven wire fence of the anchor post type not less than 6 ft. in height; that a similar fence shall be erected on the street building line, with one opening not over 20 ft. wide, for entrance and exit; that the curb cut opposite shall be of a similar width; that during the term of this variance the premises shall be used for no other use than as permitted herein, and no buildings erected thereon, except that there may be erected near the entrance a building not over one (1) story in height and not over 100 sq. ft. in area as an office and shelter, which may be of frame construction; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that signs shall be restricted to one sign attached to the fence, near the permitted entrance, advertising only the parking and storage use; that this sign shall not exceed 15 sq. ft. in area and shall not extend beyond the building line; that no lights for general illumination shall be constructed; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

566-39-BZ.

APPLICANT—Nicholas F. Walsh, for Nicholas F. Walsh,

Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Nicholas F. Walsh.

For Opposition: A. Victor Donellan, H. Handelman and Morris Weinberg.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(566-39-BZ)

WHEREAS, Nicholas F. Walsh, for Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, filed May 3, 1939, an application with the Board of Standards and Appeals under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Post avenue is in a business and residence use district and West 207th street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated April 24, 1939, re Zoning Violation Order No. 99-1937, reads:

"Your application for a certificate of occupancy for the use of the above premises for the storage and parking of more than 5 motor vehicles has been denied for the reason that the premises are located in a business district, where this occupancy is prohibited by Article 2, Section 4, sub-division 15 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 160 ft.; it is proposed to occupy the plot for a temporary permit of not more than two (2) years, for storage and parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h thereof, to permit the premises under appeal to be occupied for the parking and storage of more than five (5) motor vehicles, solely of the pleasure-car type, for a term of two (2) years, *on condition* that the plot shall be leveled substantially to the grade of Post avenue and shall be surfaced with steam

MINUTES

cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot lines, where masonry walls of adjoining buildings do not exist, a substantial woven wire fence, of the anchor post type, not less than 6 ft. in height; that a similar fence shall be erected along the street building line, except for one entrance toward the center of the frontage, not exceeding 15 ft. in width, with a curb cut opposite of similar width; that during the term of this variance the plot shall be occupied for no other purpose than as herein permitted; that no buildings shall be erected thereon, except that there may be erected a building not over one story in height, not over 100 sq. ft. in area, as office and shelter for the attendant; that this building may be of frame; that proper aisles shall be maintained at all times for entrance and exit; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that signs shall be restricted to one sign attached to the fence not over 15 sq. ft. in area, and not extending beyond the building line, advertising only the parking and storage use herein permitted; that all existing billboards and structures of every nature now on the premises shall be removed; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

1115-39-BZ.

APPLICANT—Lawrence M. Rothman, for Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit the extension of an iron works from an unrestricted use district into a business use district.

PREMISES AFFECTED—1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman, Howard Henig, Herbert A. Levine and Arthur R. Levine.

For Opposition: Philip M. Risik, John T. Van Derveer, F. Weber, F. Kratz, Italo Zurla, A. Ceriani, M. Di Filippo, Mrs. A. Aben and Mrs. C. Rohsbach.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1115-39-BZ)

WHEREAS, Lawrence M. Rothman, for Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), filed September 11, 1939, an application under sections 7a and 21 of the building zone resolution, to permit the extension of an iron works, from an unrestricted use district into a business use district; premises: 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Morris Park avenue is in a business use district; Van Nest avenue is in an unrestricted use district; Wyatt avenue and East 178th street are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated August 11, 1939, re B.N. Application No. 386-39 reads:

"3. Proposed crane runway is in a business use district. It is unlawful to extend the present iron works into a business district. Sec. 4, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Morris Park avenue, 125.6 ft. on Van Nest avenue and a depth of approximately 219 ft.; the westerly portion of the plot is in a business use district and the easterly portion is in an unrestricted use district. Upon the unrestricted portion of the plot is a crane and crane runway, and it is proposed to use the remainder of the plot as an iron or steelworks; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the board deemed that there was insufficient basis for the use of its discretion under the provision of section 7, subdivision a, of the building zone resolution, to extend the area beyond that now legally permitted and that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on B.N. Application No. 386-39 be and it hereby is affirmed and that the application be and it hereby is denied.

1206-39-BZ.

APPLICANT—James Lewis Munson, for Menley and James, Ltd., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons).

PREMISES AFFECTED—91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James M. Welsch, Clifford Marsh and George Auserehl.

For Opposition: Otto M. Gabler, Arthur J. Grebner, Mrs. C. Grebner, Mrs. J. Finck and Edward Stoppel.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1206-39-BZ)

WHEREAS, James Lewis Munson, for Menley and James, Ltd., owner, filed October 3, 1939, an application under section 7a of the building zone resolution, to permit upon a plot located partly in a residence use and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons), affecting premises: 91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Archer avenue is in an unrestricted use district; that 91st avenue is in a residence and business use district; that 138th place is in a residence and unrestricted use district; and

MINUTES

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2244-39, dated September 20, 1939, reads:

"The erection of a business building on a plot located in a residence district is contrary to article 2, section 3 of the zoning law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Archer avenue and 200 ft. on 138th place; the north half of the plot is located in a residence use district; the south half is located in an unrestricted use district; upon the plot there are located a two-story building (90 ft. 6 in. by 100 ft. in area), occupied on the first story for shipping and storage, and on the second floor as office and manufacture of medicines and chemicals; and, also, two one-story storage buildings. The northerly storage building became unsafe and was partly demolished; it is proposed to erect upon the north part of the plot a one-story building, 24 ft. by 18 ft. 4 in. in area, to be used for the storage of paper cartons. The structures now on the site were erected and occupied for present use when the plot was in an unrestricted use district; and

WHEREAS, the board deemed that there was sufficient basis for the use of its discretion under the provisions of section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the construction of the building as proposed, *on condition* that it shall not be increased in height or area, other than as shown on plans filed with this appeal, and shall be located so as to be not nearer than 10 ft. to the northerly lot line and 35 ft. to the westerly street building line; that the existing frame shed toward the north shall be completely removed; that there shall be no openings in the building toward the north; that the buildings shall be constructed throughout of incombustible materials and shall be used solely as proposed, for the storage of cartons used in conjunction with the business conducted by the owners of the plot; that shrubbery shall be maintained between the proposed building and the northerly lot line; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Adjourned: 3:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, JANUARY 3, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

675-22-BZ.

APPLICANT—Otto A. Staudt, for Hermann Stursberg Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit the proposed extension of a theatre and business building (previously granted by the Board), into a residence use district.

PREMISES AFFECTED—250-272 Willis avenue, east side, between East 138th and East 139th streets, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Otto A. Staudt.

ACTION OF BOARD—Application reopened and set for hearing February 6, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

192-29-BZ.

APPLICANT—Veronica Kambeurian, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 1432, Lot No. 9), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Victor Kambeurian.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

59-39-BZ.

APPLICANT—Joseph DiBlasi, owner.

SUBJECT—Application for consideration—reopening and rehearing under section 7g of the building zone resolution, to permit in a business use district, the conversion of occupancy of a building occupied as auto sales room to garage for more than five (5) motor vehicles (previously denied—re erection of a gasoline service station).

PREMISES AFFECTED—113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Albert Marinelli.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

767-39-BZ.

APPLICANT—Judson E. Schnall, for Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kalenbach, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously dismissed for lack of prosecution—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Application reopened and set for hearing February 6, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

MINUTES

Walsh 4
Negative 0

1025-39-BZ.

APPLICANT—Angelo Costantino, for Mill Road Holding Corporation, owner.

SUBJECT—Application for consideration—rehearing under section 7f of the building zone resolution—re Application (decision of the borough superintendent of buildings) to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution).

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Angelo Constantino.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

1119-38-BZ.

APPLICANT—Herman Kron, for Hyman Turchin, trustee of Tenement Renovation Contracting Company, Inc. (Bankrupt), John P. O'Brien and Frederick Henderson, agent for Laurence H. Eldredge, owners (Richard Iacone, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—137-141 Cherry street, south side, 196 ft. east of Catherine street (Block No. 250, Lot Nos. 75 and 77), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

351-35-BZ.

APPLICANT—Jerrold Kane, for Camager Corporation, owner.

SUBJECT—Application reopened November 28, 1939, re extension of permit—permit having expired by limitation—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Charles J. McDonough.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

THE RESOLUTION—

(351-35-BZ)

WHEREAS, this application, to permit in a business use district, the maintenance of a parking space for more than five (5) motor vehicles, affecting premises: 35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens, was granted by the Board April 14, 1936, on certain conditions, and resolution amended July 10, 1936; and

WHEREAS, the owner requested a reopening of this application and an extension of the temporary period; and

WHEREAS, this application was reopened by vote of the Board November 28, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the Board deemed that the applicant had substantiated his request for the extension of the temporary period.

Resolved, that the resolution adopted by the Board on April 14, 1936, as amended on July 10, 1936, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Granted under section 7-H for a period of two years from January 3, 1940, and approving for general arrangement, the plan marked 'Received May 7, 1936,' on condition that the lanes shown therein shall at all times be maintained; that the area shall be enclosed on the interior lot lines by a 6 ft. picket fence; that no part of the area within the residential district shall be used for parking or storage unless permitted by this board under a proper application therefor; that toilet accommodations for men and women shall be maintained; that the entrances shall be restricted to entrances as shown to Junction boulevard, consisting of two (2) 20 ft. entrances and curb cuts; that along the building line of Junction boulevard there shall be constructed a concrete curb not less than 12 in. in height and not less than 8 in. in width, cast in gravel or stone concrete; that lights for illumination shall be limited to standards erected within the building line at intervals not less than 25 ft., with metal reflectors arranged so as to reflect toward the parking lot and downwardly so as to be unobjectionable to tenants in apartment buildings at the rear; that no sign shall be displayed on the premises other than a sign near the entrance advertising the parking uses and the rates; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; and that all permits shall be obtained and all work shall be completed within three months from the date of this *amended* resolution."

736-38-BZ.

APPLICANT—Rockefeller Plaza, Inc., lessee (The Trustees of Columbia University in the City of New York, owner).

SUBJECT—Application reopened November 28, 1939, for consideration re amendment of resolution (decision of the borough superintendent of buildings) to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a garage (permission to erect which was granted by the Board under section 7g of the building zone resolution), on the 48th street side of building.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue, and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: H. M. Schley.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(736-38-BZ)

WHEREAS, Francis T. Christy, for Rockefeller Center, Inc., lessee, and The Trustees of Columbia University in the City of New York, owner, filed August 16, 1938, an application under the building zone resolution, to permit in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; premises: 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 4, 1938, on certain conditions, plans approved December 6, 1938, resolution amended May 23, 1939, and October 3, 1939, and applicant requested a further amendment; and

WHEREAS, this application was reopened by vote of the Board November 28, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, January 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution adopted by the Board on October 4, 1938, as amended by resolution adopted December 6, 1938, May 23, 1939, and October 3, 1939, be and it hereby is amended, only so far as it has reference to the sprinkler system, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7g thereof, to permit that portion of the proposed building to be used as a non-storage garage, as indicated on plans filed with this application, together with the space shown as a proposed bus terminal, on condition that there shall be no bus terminal on the premises or any entering or exiting of buses on the premises; that the portion of the building used for a storage garage shall be protected with a two-source sprinkler system consisting of a connection to the street main on each street front which need not exceed 6 inches in diameter and standpipe system and shall be separated from all other parts of the building by fire-proof construction; that the sprinkler heads may be omitted at the entrances for a distance from the entrance doors not exceeding 12 ft.; that in addition, such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the exterior of the building shall be, as represented, in conformity as to design and exterior materials with the adjacent buildings of Rockefeller Center; that the present permitted parking use granted under Cal. No. 487-37-BZ shall be terminated upon the commencement of excavation for this proposed building; that at all times during the operation of the garage, there shall be an attendant stationed on 49th street and one on 48th street, to direct the entering and exiting of automobiles; that only automobiles of the pleasure-car type shall be stored in the garage; that there shall be no repairing of motor vehicles; that the garage area shall be ventilated throughout with a supply and exhaust system of ventilation to provide not less than four changes of air per

hour; that prior to filing complete working drawings with the borough superintendent, such plans shall be submitted to the Board for examination and for the imposition of any additional conditions as may be deemed necessary; that such plans shall be submitted within six months and all permits shall be obtained and all work completed within one year after plans are approved by the Board, as in compliance with the terms of the resolution as it may be amended; that the Board of Standards and Appeals does hereby approve the plans filed in connection with this application as being in accordance with the resolution of the Board adopted October 4, 1938.

"Resolved, further, that in the event the owner desires to construct two additional waiting rooms on the first story, one located adjacent to Column No. 32 and one adjacent to Columns 28, 29 and 40, such additional waiting rooms may be constructed substantially as shown on plans marked 'Received September 18, 1939,' and 'September 28, 1939,'; that signs shall be restricted to permanent signs attached to the garage on the West 49th street side and the West 48th street side, as indicated on plans marked 'Received October 3, 1939,' on condition that signs to be erected on West 49th street shall not extend beyond the building line; that the signs to be erected on West 48th street may extend beyond the building line for a distance of not over 11 ft. and shall consist only of the word 'Garage,' and including two such signs attached to the building and extending at right angles; that the letters of such signs shall not exceed 2 ft. in height.

"Resolved, further, that this building may be occupied as a storage garage and for washing and greasing, on condition that the gasoline stored on the premises shall be restricted to servicing of automobiles stored in the building and for their emergency requirements only, that the storage tanks shall be located in a pit below the lowest cellar or excavation, except excavation in rock, in the location as indicated on plan marked 'Received November 21, 1939,' toward West 48th street and shall not exceed six 550-gallon tanks; that the tanks shall be the type of tank within a tank; that the gasoline pumps shall be located between columns 31 and 38, as indicated on plan marked 'Received November 21, 1939,' and shall be of the parkway design of metal construction; that the connecting piping between the tanks and the pumps shall be of approved copper tubing, enclosed in protective steel piping; that as far as possible, such tubing shall be in single length; that the vent piping from the tanks shall be carried above the lowest roof of the West 48th street extension with the gooseneck extending at right angles over the parapet, so as to be observable at the fill pipe outlet on West 48th street; that the pumping equipment shall be of a type and installed as approved by the fire commissioner; that the washing of cars stored in the garage may be permitted and the greasing of such cars, provided the greasing equipment is confined to the space on the second floor, as indicated on plan marked 'Received November 21, 1939,' in the bay at columns 16, 17, 18 and 19; that the greasing lifts shall be of an approved type; that the decision of the borough superintendent, on N.B. Applic. No. 15-38, objection No. 27, dated December 28, 1939, is hereby modified, on condition that there shall be a 12-inch masonry wall from the lowest cellar to the top of the first story, separating this garage building from the adjoining theatre building, and without openings therein, which shall also have a similar 12-inch separating wall; that no part of the gasoline storage system shall be nearer than 40 ft. to such wall; that no sign advertising the sale of gasoline shall be exhibited other than at the illuminated globes of the pumps; that in all other respects the amended resolution adopted by the Board on October 3, 1939, shall be complied with."

MINUTES

444-37-BZ.

APPLICANT—T. R. Galloway, for New York and Queens Electric Light and Power Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—136-20 to 136-26 39th (Locust) avenue, south side, 184.934 ft. east of Main street, and 136-19 to 136-25 Roosevelt avenue, north side, 175 ft. east of Main street (Block No. 4980, Lot No. 11), Flushing, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(444-37-BZ)

WHEREAS, T. R. Galloway, for New York and Queens Electric Light and Power Company, owner, filed July 15, 1937, an application under the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises: 136-20 to 136-26 39th (Locust) avenue, south side, 184.934 ft. east of Main street, and 136-19 to 136-25 Roosevelt avenue, north side, 175 ft. east of Main street (Block No. 4980, Lot No. 11), Flushing, Borough of Queens; and

WHEREAS, this application was granted February 1, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted February 1, 1938, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-H thereof for a period of two years from the date of this amended resolution, permitting the vacant portion of the premises under appeal to be used for transient parking, only so long as the plot shall remain in the ownership of the New York and Queens Electric Light and Power Company and shall be used solely for the transient parking of automobiles belonging to their employees and tenants in their building without any fee charged for same; that during the time the permit is in effect, the premises shall be used for no other purpose; that substantial wire fences and brick walls, as indicated on plans and photographs filed with this application, shall be maintained on the interior lot lines and on the street line with only one entrance to this plot from 39th avenue, not exceeding 20 feet in width; that the plot shall be surfaced with crushed bluestone, properly rolled and bound so as to provide surface drainage and to prevent dusting; that no signs shall be erected on this parking lot; that all permits required shall be obtained within one month from the date of this amended resolution."

712-38-BZ.

APPLICANT—Retlaw Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the maintenance of business uses in an existing multiple dwelling.

PREMISES AFFECTED—1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn.

APPEARANCES—None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(712-38-BZ)

WHEREAS, Retlaw Realty Corporation, applicant and owner, filed August 11, 1938, an application with the Board of Standards and Appeals, from a decision of the acting borough superintendent of buildings, relative to permitting in a residence use district, maintenance of business uses in an existing multiple dwelling; premises: 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete its papers, although duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, for Alfred Rader, Acting Borough Superintendent, Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES—William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of Certificate of Occupancy No. 66349 and Permit No. 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: None.

ACTION OF BOARD—Laid over to February 6, 1940, at 2 P.M., attorney for owner to be notified.

1401-39-A.

APPLICANT—Teresa Mormando, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—180 South street, west side, 140 ft. south of Roosevelt street (Block No. 110, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred Mormando.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 P.M., on request of applicant's representative.

1414-39-A.

APPLICANT—Hardy Metal Specialties, Inc. (lessee), for Thames Trading Company, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—331-353 McKibbin street, northwest corner of Bogart street (second floor), (Block No. 3083, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

MINUTES

ACTION OF BOARD—Laid over to January 16, 1940, at 2 P.M., for inspection by a committee of the Board.

1488-39-A.

APPLICANT—George P. Ames, for Lawrence Village Homes, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20, and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: George P. Ames.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 P.M., for further consideration by the Board.

1453-39-A.

APPLICANT—William W. Knowles, for Benjamin H. Sweet, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-18 South road, south side, 110.65 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jacob H. Zamore.

ACTION OF BOARD—Appeal withdrawn before argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

1369-39-A.

APPLICANT—Saul Goldsmith, for Hemmerdinger Estate Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under section 35, General City Law re Bed of Mapped Street).

PREMISES AFFECTED—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith and others.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1369-39-A)

WHEREAS, Saul Goldsmith, for Hemmerdinger Estate Corporation, owner, filed November 8, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. Applic. No. 9094-39, dated November 3, 1939, reads:

"1. The erection of a bldg. extending into the bed of a mapped city street is contrary to Art. 2 section 35 of the General City Law.

"2. Roof construction not shown to comply with requirements for a fireproof bldg. Section 10.2.8.

"3. Columns not shown to comply with Section 10.2.1 for fireproof bldg."

and

WHEREAS, notice of this application was published, pursuant to Section 35 of the General City Law; and

WHEREAS, the proposed building will be one story, 17.24 ft. 6 in. in height, 330 ft. by 180 ft. in area, constructed of incombustible materials, located in an unrestricted use, "D" area district; to be occupied throughout as a factory for 100 persons; and

WHEREAS, the applicant contends, as to Objection No. 1, that the mapped street (Rutledge avenue) has not been physically opened nor have proceedings been commenced by the city to open same; that some of the buildings already located on the applicant's property now encroach upon the mapped street; that the lines of the mapped street have been changed east of the applicant's property; as to Objection No. 2, that it is proposed to use two-inch precast gypsum slab on the roof; that the building faces on a street and is accessible from all sides, and will be sprinklered throughout; as to Objection No. 3, that the entire exterior perimeter will consist of exterior steel sash, which will make the fireproofing of the columns difficult; the interior columns in the entire building will be protected by the proposed two-source sprinkler system.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 9094-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the construction of the proposed building in the bed of a mapped street, under the powers granted to the Board by Section 35 of the General City Law; as to Objection No. 2, *granted on condition* that the building shall be constructed of incombustible materials throughout and shall be protected with a two-source sprinkler system as proposed and shall not be increased in height or area beyond the dimensions shown on N.B. Applic. No. 9094-39, and, as to Objection No. 3, *granted on condition* that all interior columns shall be fireproofed as required by section C26-611.0 (10.2.1) of the administrative code and that the exterior columns need not be fireproof in view of the continuous steel sash proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1370-39-A.

APPLICANT—Ohiolene Oil Company, Inc., lessee, for Allied Fruit and Extract Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—595-597 Wales avenue, northwest corner of East 150th street (Block No. 2642, Lot Nos. 56-59), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank Hasiwar and Fred Zimmer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1370-39-A)

WHEREAS, Ohiolene Oil Company, Inc., (lessee), for Allied Fruit and Extract Company, Inc., owner, filed November 8, 1939, an appeal from an order of the fire commissioner, affecting premises: 595-597 Wales avenue, northwest corner of East 150th street (Block No. 2642, Lot Nos. 56-59), Borough of The Bronx; and

MINUTES

WHEREAS, the order of the fire commissioner, No. 19601-LC, dated November 2, 1939, reads:

"1. Discontinue the storage of more than 1100 gallons on these premises. Sec. C-19-5-0-A-2, Art. 8, Administrative Code."

and

WHEREAS, the building is two stories (26 ft.) in height, 150 ft. by 65 ft. in area, of Class 1 construction, located in an unrestricted use, "B" area district, erected in 1937, and occupied: 1st floor, garage, shipping and storage; 2nd floor, factory, 10 persons, for which certificate of occupancy based on Alt. No. 18-1938 was issued January 14, 1938; and

WHEREAS, the applicant contends that 5,000 gallons of lubricating oil are stored on the premises in sealed steel drums and thoroughly protected against any fire hazard; that the applicant is familiar with the necessary precautions against fire and the storage of lubricants, and has taken all the necessary precautions with respect thereto.

Resolved, that the order of the fire commissioner, No. 19601-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the portion of the building in which the proposed oil is to be stored shall be separated by a wall from floor to ceiling, of masonry, consisting of six-inch terra cotta blocks or brick, without any openings therein to the garage portion; that the total amount of oil and grease stored on the premises shall at no time exceed 3,000 gallons of oil and 3,000 pounds of grease; that such materials shall be in the original manufacturer's packages and shall not be opened or changed on the premises; that such fire-fighting appliances shall be installed and maintained as the fire commissioner shall direct.

1400-39-A.

APPLICANT—Saul Goldsmith, for Parksand Realty Corporation, owner (Thelmco, Inc., lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (Block No. 1718, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1400-39-A)

WHEREAS, Saul Goldsmith, for Parksand Realty Corporation, owner (Thelmco, Inc., lessee), filed November 14, 1939, an appeal from an order of the fire commissioner, affecting premises 64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (Block No. 1718, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 79199-LC, issued by the fire commissioner, dated April 6, 1939, reads:

"You are hereby notified that an inspection of the above premises used to store paints, etc., shows that the following must be done before the permit requested by you can be issued:

"2. Discontinue the maintenance of any open flames (gas heated melting pot, hot water boiler and degreaser) within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8-8-a, Spray Rules."

and

WHEREAS, the said order was referred to in decisions of the fire commissioner, dated November 2, 1939, and De-

cember 27, 1939; and

WHEREAS, the building is three stories and basement (43 ft.) in height, 278 ft. 5 in. by 100 ft. in area; of Class 3 construction; equipped with a sprinkler system; located in an unrestricted use district; erected about 1860; occupied: basement, manufacturing of metal beds, 20 persons; 1st floor, manufacturing of dolls and electric fixtures, 30 persons; 2nd floor, manufacturing of dolls and slippers, 100 persons; 3rd floor, manufacturing of dolls and coats, 50 persons; and

WHEREAS, the applicant contends that the open flames consist of a thirty-gallon hot water tank with gas heater, located approximately 20 ft. from the spray booth, and a lead melting pot, located approximately 100 ft. away and behind a brick wall; that the spray booth is equipped with a sprinkler and the entire building is equipped with a two-source sprinkler system.

Resolved, that the order of the fire commissioner, No. 79199-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the hot water heater and degreaser located adjacent to the spraying equipment, shall be enclosed within partitions from floor to ceiling, constructed of incombustible materials, with a fireproof, self-closing door therein, and that the floor in this enclosure shall be of concrete or tile over the existing wood floor; that any other open flames shall be not nearer than 100 ft. distant from the spraying equipment, consisting of a gas-fired melting pot located as indicated on plans filed with this appeal; that the windows in the section of the building where the spraying equipment is located shall be maintained in openable condition so as to permit natural ventilation; that in all other respects the requirements of the Spray Rules of the Board of Standards and Appeals and all other laws, rules and regulations applicable thereto shall be complied with and the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

1406-39-A.

APPLICANT—A. C. Lefante, for A. Tullo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—175-177 North Seventh street, north side, 175 ft. east of Bedford avenue, and 182 North Eighth street (Block No. 2320, Lot Nos. 30-31), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. C. Lefante and A. Tullo.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1406-39-A)

WHEREAS, A. C. Lefante, for A. Tullo, owner, filed November 15, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 175-177 North Seventh street, north side, 175 ft. east of Bedford avenue, and 182 North Eighth street (Block No. 2320, Lot Nos. 30-31), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, N.B. Applic. No. 2026-39, dated October 27, 1939, reads:

"1. Garage in a two story building of non-fireproof construction is contrary to 4.2.1 of Building Code."

and

WHEREAS, the building is two stories (29 ft. 6 in.) in height, 50 ft. by 200 ft. in area at the first floor and 50 ft. by 30 ft. in area at the second floor, of Class 3 construction, located in an unrestricted use "B" area district, to be occupied: cellar, boiler room; 1st floor, storage and public

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garage; 2nd floor, offices; and

WHEREAS, the applicant contends that the building extends from street to street and is divided into areas of less than 10,000 sq. ft. by 12-inch fire wall, with a 10 ft. by 14 ft. opening on the first story, protected by three-hour test assembly; that windows will be located in this wall on the second story overlooking the roof of the main building.

Resolved, that the decision of the borough superintendent, N.B. Applic. No. 2026-39, Objection No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area; that the second floor area, 50 ft. by 30 ft., shall be used solely as an office in connection with the first floor occupancy and that the portion of the first floor ceiling under such office occupancy and for one bay beyond such office space, shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; and, *granted* only so long as the building is otherwise constructed and used as proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1433-39-A.

APPLICANT—Five Boroughs Renting Service, Inc., for Sunlin Holding Company, Inc., owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—32-42 and 32-52 33rd street, west side, from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant M. L. Levin.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted, violation vacated.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1433-39-A)

WHEREAS, Five Boroughs Renting Service, Inc., for Sunlin Holding Company, Inc., owner, filed November 20, 1939, an appeal from an order and decision of the borough superintendent of buildings, affecting premises: 32-42 and 32-52 33rd street, west side, from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens; and

WHEREAS, Violation No. 2947-39, issued by the borough superintendent on September 18, 1939, reads:

"You will please take notice that there exists a violation of Section 9.4.3.1 of the building code and C26-563.0 administrative code at the premises described, in that of maintaining rear lot line without a retaining wall. Existing retaining wall inadequate as to height."

and

WHEREAS, said violation was referred to in a decision of the borough superintendent, dated November 16, 1939; and

WHEREAS, the buildings are six stories (71 ft. 3 in.) in height, 200 ft. by 82 ft. in area, of Class 3 construction, located in a residence use, "B" area district, erected in 1929 and occupied throughout as Class "A" multiple dwellings, for which Certificates of Occupancy No. 41291 and 36883 were issued; and

WHEREAS, the applicant contends that the present owners relied upon the certificates of occupancy which had been issued covering these buildings; that the violation is invalid by virtue of section 121 of the Tenement House Law and section 646G of the New York City Charter; that the borough superintendent is estopped to claiming the existing retaining wall is inadequate; that section 9.4.3.1 of the Build-

ing Code (C26-563.0 of the Administrative Code) apply only to vacant land; that the owners are entitled to credit for the retaining wall that already exists; and

WHEREAS, in the opinion of the Board, the violation was improperly placed, as the law does not impose the responsibility of reconstructing the existing retaining wall when located entirely on the owners premises and when the owner adjoining in the rear elects to so locate his rear yard, as to require a higher retaining wall and which that owner should construct on his own lot at his own expense.

Resolved, that Violation No. 2947-39, issued by the borough superintendent, be and it hereby is *vacated* and that the appeal be and it hereby is *granted*.

1459-39-A.

APPLICANT—Levy and Berger, for Excelsior Garage, Inc., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—536-546 West 23rd street, south side, 225 ft. east of 11th avenue (Block No. 694, Lot No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Levy, Jr.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1459-39-A)

WHEREAS, Levy and Berger, for Excelsior Garage, Inc., owner, filed November 30, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 536-546 West 23rd street, south side, 225 ft. east of 11th avenue (Block No. 694, Lot No. 58), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 971, dated November 16, 1939, reads:

"1. Storage of paints, varnishes, or lacquers, in a building used as a storage garage contrary to C-19-85.0, Subd. 5 of Adm. Code and approving this proposed use, would be contrary to C19-65.0 Subd. 2 of Adm. Code."

and

WHEREAS, the building is three stories (52 ft. 2 in.) in height, 150 ft. by 95 ft. 2 in. in area, of fireproof construction, located in an unrestricted use, "A" area district, erected in 1933 and occupied as a public garage and automobile showroom; and

WHEREAS, the applicant contends that the portion of the building permitted to be occupied as a showroom, is occupied for the storage and sale of hardware, including 25 gallons of lacquers and 25 gallons of synthetic enamels carried in sealed cans; that the store portion of the building is separated from the garage area by 6-inch terra cotta block unpierced walls; that the store is equipped with a sprinkler system and the building is entirely fireproof.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 971, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the storage of paints, varnishes and lacquers as proposed, shall be solely in sealed cans as they come from the factory and shall be stored in that portion of the building toward the front and separated from the balance of the building by a continuous terra cotta block wall from floor to ceiling with but one opening therein to stairhall, provided such opening is protected with a fireproof, self-closing door; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and that such additional portable fire-fighting appliances shall be

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maintained as the fire commissioner shall direct; that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto except as modified by the Board under Cal. No. 1474-24-A, as to wall opening protectives.

1480-39-A.

APPLICANT—Estates Construction Corporation, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-03, 73-07 and 73-11 185th street, southeast corner of 73rd avenue and east side of 185th street, 47.88 ft. and 87.88 ft. south of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Henry S. Salomon.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1480-39-A)

WHEREAS, Estates Construction Corporation, owner, filed December 5, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises: 73-03, 73-07 and 73-11 185th street, southeast corner of 73rd avenue and east side of 185th street, 47.88 ft. and 87.88 ft. south of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings on N.B. Applic. Nos. 9387-39, 8255-39 and 8257-39, dated November 17, 1939, and November 27, 1939, read:

"1. The erection of frame building within the fire limits is contrary to Sect. 4.1.2 of the building code."

and

WHEREAS, the premises consist of a plot of ground fronting 101.98 ft. on the south side of 73rd avenue and 137.88 ft. on the east side of 185th street, which it is proposed to subdivide into three separate lots, 57.88 ft., 48 ft. and 40 ft. front, respectively, on 185th street, and to erect on each lot a one-family frame dwelling not exceeding two stories in height and a one-car private garage; and

WHEREAS, the applicant contends that the land upon which these buildings are to be erected has been restricted to residence use by the request of the Federal Housing Administration and is devoted entirely to one-family dwellings; that there are sufficient business areas in the neighborhood; that to leave the plot unbuilt upon would constitute a detriment and an eyesore to the neighborhood.

Resolved, that the decisions of the borough superintendent, on N.B. Applic. Nos. 9387-39, 8255-39 and 8257-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, so as to permit the construction of frame buildings within the fire limits, as proposed, *on condition* that such buildings shall, in all respects, meet the requirements of the zoning resolution for an "F" area, residence use district, except that on one side lot line, the side yard need not exceed 4 ft. 6 in. in width; that the buildings shall be occupied solely as one-family dwellings; that for each dwelling a garage may be constructed on the plot for the sole occupant of the dwelling on the plot, of frame construction, provided the buildings are set off from the lot lines for a distance not nearer than 1 ft. to the side lot lines, provided the walls of the garage are brick veneer up to the plate line and any windows opening toward the side lot line are fireproof and glazed with wire glass and that the residential buildings and garages shall be surfaced with approved roofing material; that the residential dwelling shall

be veneered with masonry up to the height of the first story; that the chimney breasts may extend into the side yards for a distance of not more than 2 ft. and that open stoops for doorways may extend into the side and front yards for a distance of not over 5 ft.; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1481-39-A.

APPLICANT—Samuel Roth, for Estate of H. A. Cram, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—9-15 East 135th street, north side, 100 ft. east of Fifth avenue, and 10-16 East 136th street (Block No. 1760, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Clinton Brown and Samuel Roth.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1481-39-A)

WHEREAS, Samuel Roth, for Estate of H. A. Cram, Inc., owner, filed December 6, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 9-15 East 135th street, north side, 100 ft. east of Fifth avenue, and 10-16 East 136th street (Block No. 1700, Lot No. 5), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on F.P. Application 569-1939, dated November 28, 1939, reads:

"Sect. C26-1346 sub. b calls for each connection to the City water main to be equal to the size of the main riser, which in this instance is 8"; connections to a 6" main does not comply therewith.

"It is to be noted that the sprinkler system proposed is compulsory by Sect. C26-254 sub. b of the Adm. Code; and further Section C26-1370 demands that the system be supplied by 2 automatic sources."

and

WHEREAS, the building will be one story (20 ft.) in height, 100 ft. by 199 ft. 10 in. in area, of Class 3 construction, located in an unrestricted use, "B" area district; to be occupied as a one-story garage for more than five (5) motor vehicles; and

WHEREAS, the applicant contends that the city water main on the 136th street frontage is only 6 inches, but that ample pressure is provided in the city water mains (on 135th street and 136th street), to supply the system adequately and that said mains will give greater pressure and more volume with greater certainty than a tank, the required capacity of which is equal to the discharge of 25 per cent. of the sprinkler heads for twenty (20) minutes and the pressure from which is merely due to its being 20 ft. above the highest sprinkler head; that the building will have only four more 1¼-inch and one more 1-inch sprinkler heads than the strict provision of the code permits on 6-inch mains.

Resolved, that the decision of the borough superintendent, on F.P. Applic. No. 569-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the Sprinkler Rules of the Board of Standards and Appeals shall be complied with in all respects, except that the main from 136th street may be 6 inches to the inside side of the street building wall, at which point it shall connect with the 8-inch feed from 135th street; that in all other

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respects the sprinkler system shall meet the requirements of the Sprinkler Rules of the Board.

1486-39-A.

APPLICANT—Andrew Monda, for Alfred R. Smith, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—104-05 35th avenue, north side, 170.20 ft. west of 105th street (Block No. 1744, Lot No. 31), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Andrew Monda.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1486-39-A)

WHEREAS, Andrew Monda, for Alfred R. Smith, owner, filed December 7, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 104-05 35th avenue, north side, 170.20 ft. west of 105th street (Block No. 1744, Lot No. 31), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2735, dated November 27, 1939, reads:

"Frame construction in the fire limits is prohibited by the Code (4.1.5 d3)."

and

WHEREAS, the building is two stories (25 ft.) in height, 18 ft. 6 in. by 50 ft. in area at street level, 18 ft. 6 in. by 28 ft. in area at typical floor level; of frame construction; located in a residence use, "C" area district; erected about 1900, and occupied as a one-family dwelling; and

WHEREAS, it is proposed to construct a rear extension to the present building in order to convert the present one-family dwelling into a two-family dwelling; and

WHEREAS, the applicant contends that it is permissible to extend frame extensions not more than 15 ft. in length under the Building Code; that the proposed extension will be only 13 ft. in length at grade level, but will be two stories in height.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2735, dated November 27, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the frame construction within the fire limits, as proposed, *on condition* that the roof of the extension at the second story level shall be of the flat roof type; that in all other respects the building and occupancy shall comply with all requirements applicable thereto; that the building, as altered, shall be occupied by not more than two (2) families and that the building shall not be further extended.

1512-39-A.

APPLICANT—Warden H. Fenton, Director, Bureau of Architecture for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—157-21 Liberty avenue and 94-76 158th street, southwest corner (Block No. 10109, Lot Nos. 31 and 44), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Warden H. Fenton and Carl Hartzelius.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1512-39-A)

WHEREAS, Warden H. Fenton, of the Department of Public Works of the City of New York, owner, filed December 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 157-21 Liberty avenue and 94-76 158th street, southwest corner (Block No. 10109, Lot Nos. 31 and 44), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Miscellaneous Application No. 8945-39, dated November 18, 1939, reads:

"2. A gasoline storage tank having a capacity in excess 550 gallons is contrary to the provisions of C19-69.0 Adm. Code."

and

WHEREAS, the proposed building will be one story and mezzanine (24 ft. 8 in.) in height, 188 ft. by 170 ft., irregular in area, of Class 1 construction, located in an unrestricted use, "A" area district, occupied: first floor, garage, boiler room, office and storage, 10 persons; second floor, mezzanine, locker rooms and toilets, 65 persons; and

WHEREAS, it is proposed to install four 2,000-gallon gasoline tanks as shown on plans filed with this appeal; and

WHEREAS, the applicant contends the great quantity of gasoline required for approximately seventy-five heavy trucks and snow-removal equipment would require a large number of small gasoline tanks to comply with the demand and an excessive amount of piping, which is more dangerous than the installation of larger tanks and less piping.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 8945-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 2, so as to permit the installation of four 2,000-gallon gasoline storage tanks, as proposed, *on condition* that the construction of the tanks shall comply with the requirements of the Oil Burner Rules of the Board of Standards and Appeals as to thickness of metal and that in all other respects the tanks and installation shall comply with the requirements of the Administrative Code, and *granted* only so long as the tanks are used in connection with the garage occupied by the Department of Sanitation.

APPLIANCES SUBMITTED FOR APPROVAL.

15-36-SA.

APPLICANT—Benjamin Riesner, Inc., owner.

SUBJECT—Riesner Fuel Oil Ventilating Brick No. F-1 and Riesner Volatile Oil Ventilating Brick No. G-1 and G-2, approval of.

APPEARANCES—

For Applicant: Milton Reichner and Julian Roth.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(15-36-SA)

WHEREAS, Benjamin Riesner, Inc., owner, filed January 28, 1936, an application with the Board of Standards and Appeals for approval of their device known as the Riesner Fuel Oil Ventilating Brick No. F-1 and Riesner Volatile Oil Ventilating Brick No. G-1 and No. G-2; and

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WHEREAS, this device was submitted to the engineer of the Board for test and report; and

WHEREAS, the report of the engineer of the Board was substantially as follows:

There has been submitted to this Board for approval, the Riesner Fuel Oil Ventilating Brick No. F-1 and the Riesner Volatile Oil Ventilating Brick G-1 and G-2 for use on the end of the vent lines from fuel oil and gasoline tanks.

This brick consists of a cast iron box protected at the opening with double mesh brass fire screen 20 mesh. It is to be built into the exterior wall of a building to be connected to the end of the pipe.

Rule 6, subdivision D, provides:

"Vent pipes shall be provided with a weather-proof hood and shall terminate outside the building not less than two (2) feet from any building opening and not less than four (4) feet nor more than twelve (12) feet above the fill pipe terminal."

This rule in my opinion would not prohibit the use of the Riesner fuel oil ventilating brick model No. F-1 and it is recommended that this device be approved as conforming with the requirements of rule 6 of the Oil Burner rules if installed in accordance with said rules.

Section 131, paragraph 14, chapter 10 of the Code of Ordinances reads:

"Vent Pipe—The vent pipe shall be at least 1 inch in diameter, shall run from the tank to the outer air at least 10 feet above the roof of the building in which the plant is located and shall be at least 10 feet from the nearest window of any adjoining building and well braced in position. It shall be capped with a double gooseneck cowl or hood and provided with a screen made of 2 thicknesses of 20 mesh brass wire gauge placed immediately below the gooseneck."

This ordinance in my opinion would not prohibit the use of the Riesner volatile oil ventilating brick G-1 and G-2 for outside tank installations and the placing of the vent line in the wall of a building provided the requirements of the ordinance are complied with as to distance from windows.

It is recommended that this device be approved as conforming to the requirements of section 131, paragraph 14 of chapter 10 of the Code of Ordinances when used for or on outside gasoline tank installations and maintained at the required distance from windows or other openings;

and

WHEREAS, tests conducted on this device indicated that it would provide proper ventilation and would prevent the passage of flame; and

WHEREAS, this appliance was approved May 12, 1936, on certain conditions; and

WHEREAS, the Board deemed that the resolution should be amended.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted by the Board on May 12, 1936, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Riesner Fuel Oil Ventilating Brick No. F-1 for use with fuel oil installations and Riesner Volatile Oil Ventilating Brick Nos. G-1 and G-2 for use with volatile inflammable oil installations when installed in accordance with the report of the engineer of the Board, on condition that the device shall bear a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 15-36-SA.

"Resolved, further, that when this ventilating brick is used in connection with volatile inflammable oil installations, the location of this device in the exterior wall of the building shall be as approved by the Board in each individual case."

265-37-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re approval of additional name of "Radium Oil Burner, Models 1G, 2G, 3G, 4G and 5G"—re Radiant Oil Burner, same models, previously approved.

APPEARANCES—

For Applicant: Jacob G. Goldberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(265-37-SA)

WHEREAS, Radiant Utilities Corporation, owner, filed June 7, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G; and

WHEREAS, this device was submitted to the engineer of the Board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the Board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

For the purpose of test, the Model 1G was selected. All these models are of the pressure atomizing gun type and the Model 1G consists of the following assembly: Leland 1/6 H.P. motor; Webster Fuel Unit consisting of pump, strainer and regulating valve; Sirocco type fan and a Monarch nozzle of a capacity of 1.35 to 2½ gallons per hour.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

Ignition—Electric. Webster transformer 110 to 10,000 volts. All other models are the same as above, with the following exception:

Model 2G has a capacity of from 2 to 3½ gallons per hour, and the fan is 5 in. x 3 in., the same as the Model 1G.

Model 3G has a 1/6 H.P. Motor. Capacity of 3 to 10 gallons per hour, and the fan is 7½ in. x 4 in.

Model 4G is identical with the Model 3G with the exception that the capacity is from 5 to 10 gallons.

Model 5G has a ¼ H.P. Motor, Fan 5 in. x 8 in. and a capacity of from 5 to 14 gallons per hour.

The parts and operation of all these burners were examined. The burner under test, Model 1G, was operated with a cold combustion chamber, and on two successive tests, the controls operated and shut the burner down in 90 and 92 seconds respectively. The same controls are used throughout on all five models.

The burner 1G was then put into normal operation for a period of one hour. During the period of test there were no flare backs due to faulty ignition. The controls functioned as designed, and examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Stand-

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ards and Appeals, when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

WHEREAS, this device was approved by the Board June 29, 1937, on certain conditions, and resolution amended October 26, 1937, September 19, 1939, and November 8, 1939, to include the name Henjes Oil Burner and Lektro-matic Oil Burner, Arrow, Nu-Way, Heat and Power, Ameco and American Oilsaver Special and Selectrol, Models 1G, 2G, 3G, 4G and 5G, and applicant requests permission to market the burner under the name Radium.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G, for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards, on condition that there shall be permanently attached to each burner installed a label reading:

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. No. 265-37-SA.

Resolved, further, that the burner may also be marketed under the names Henjes Oil Burner, Lektro-matic Oil Burner, Arrow Oil Burner, Nu-Way Oil Burner, Heat and Power Oil Burner, Ameco Oil Burner, American Oilsaver Special, Selectrol, and Radium, each with Models 1G, 2G, 3G, 4G and 5G, on condition that under whichever name marketed, the burner shall comply with all the requirements of this amended resolution.

559-38-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re approval of additional name of "Radium Oil Burner, Model 2½M"—re Radiant Oil Burner, Model 2½M, previously approved.

APPEARANCES—

For Applicant: Jacob G. Goldberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(559-38-SA)

WHEREAS, Radiant Utilities Corporation, owner, filed June 30, 1938, an application with the Board of Standards and Appeals for approval of the device known as Radiant Oil Burner, Model 2½M; and

WHEREAS, this device was submitted to the engineer of the Board for test and report; and

WHEREAS, the report of the engineer, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

This burner was installed in a steam boiler for domestic heating. The burner is of the pressure atomizing gun type, consisting of the following assembly: G. E. 1/6 H.P. Motor; Webster fuel unit, consisting of pump, regulating valve, strainer, Sirocco type fan and a Balloffet nozzle.

Ignition—Electric. Webster transformer, 110 to 10,000 volts.

Controls—Standard Minneapolis Honeywell controls, consisting of Protecto-Relay R-117 and Pressuretrol L-404.

With the oil supply shut off and a cold combustion chamber, the burner was put into operation, and on

two successive tests the controls functioned and shut the burner down in 42 and 44 seconds respectively. The burner was then put into normal operation, and all controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is, therefore, recommended that the Radiant Oil Burner, Model 2½M, be approved for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3 U. S. Department of Commerce standards;

and

WHEREAS, this appliance was approved by the Board July 22, 1938, resolution amended April 11, 1939, September 19, 1939, and November 8, 1939, to include additional names, and applicant requests inclusion of name Radium.

Resolved, that the resolution adopted by the Board on July 22, 1938, as amended by resolution adopted April 11, 1939, be and it hereby is further amended, only so far as it has reference to the names under which this burner may be marketed, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Radiant Oil Burner, Model 2½M, for use in domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce standards, when installed and operated in accordance with the above report and with the Oil Burner Rules of the Board of Standards and Appeals, on condition that the burner shall have a label permanently affixed thereto reading:

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. No. 559-38-SA.

"Resolved, further, that the burner may also be marketed under the names Arrow Oil Burner, Lektromatic Oil Burner, Nu-Way Oil Burner, Heat and Power Oil Burner, Ameco Oil Burner, American Oilsaver Special Oil Burner, Selectrol, Model 2½M, and Radiant Oil Burner, Model 2½M, on condition that under whichever name marketed, the burner shall comply with all the requirements of this amended resolution."

MATERIALS SUBMITTED FOR APPROVAL.

854-39-SM.

APPLICANT—Acme Kalamein Door and Sash Company, Inc., owner.

SUBJECT—Acme Kalamein One and One-Half to Two-Hour Fireproof Door, approval of.

APPEARANCES—

For Applicant: Joe Teich and Morris Dorf.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh

4

Negative

0

THE RESOLUTION—

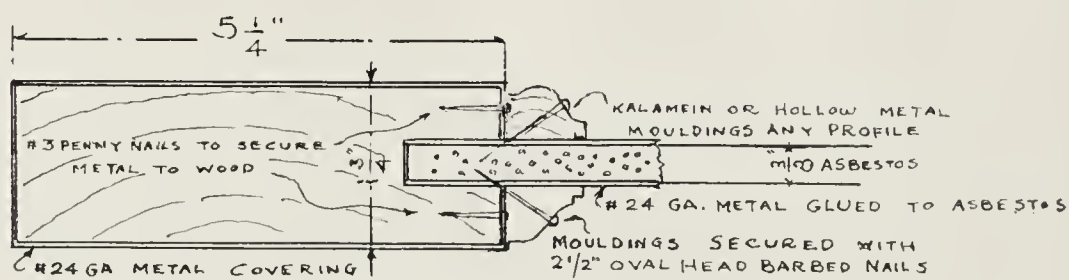
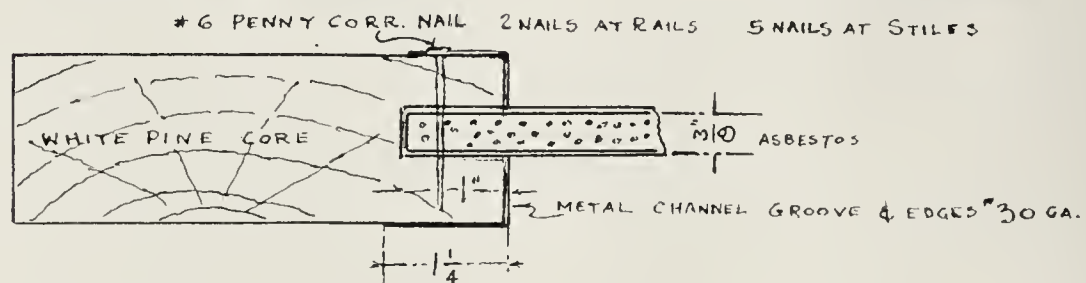
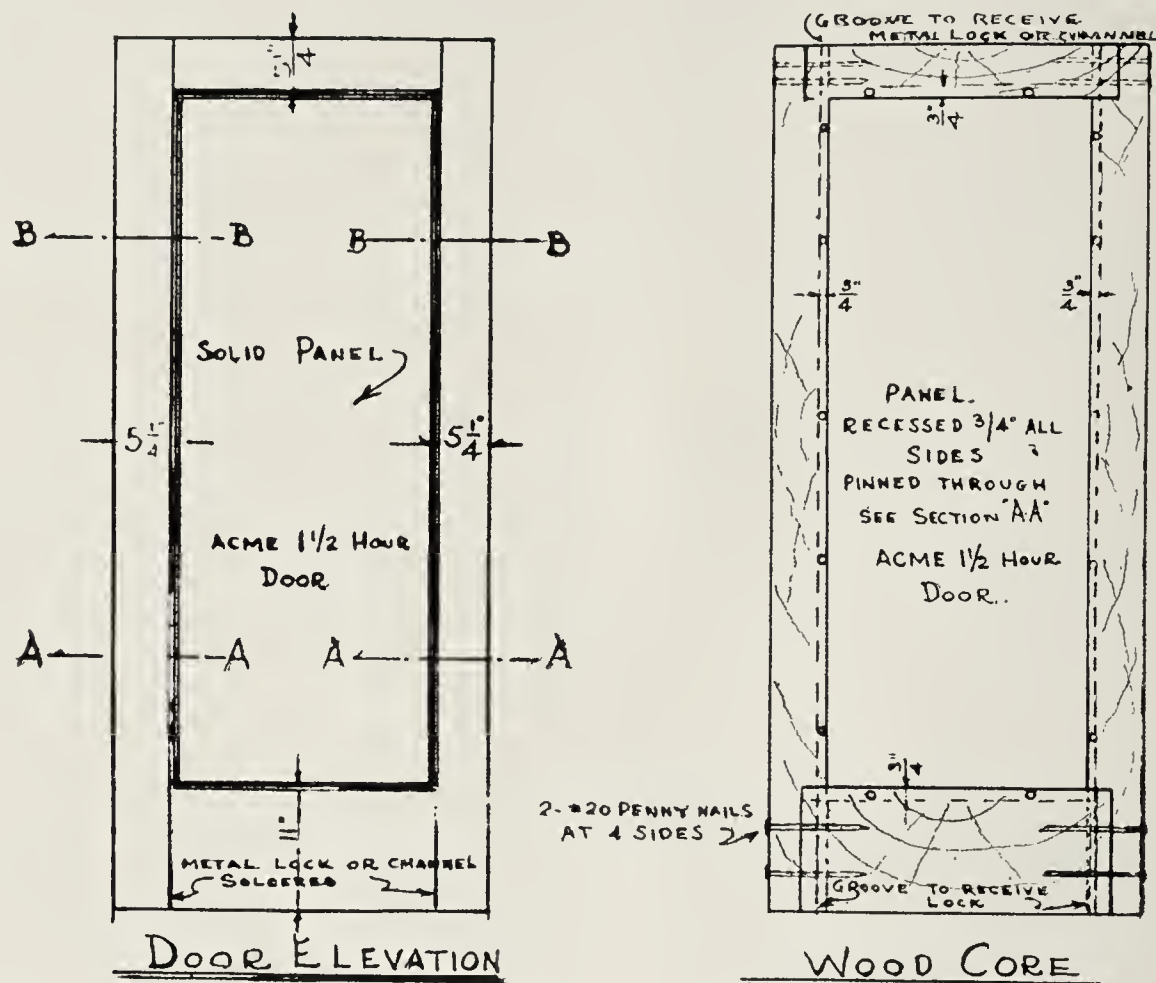
(854-39-SM)

WHEREAS, Acme Kalamein Door and Sash Company, Inc., owner, filed June 26, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Acme Kalamein One and One-Half to Two-Hour Fireproof Door; and

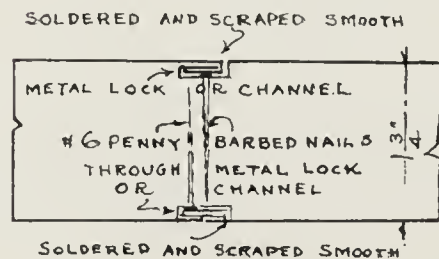
WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

MINUTES



SECTION "BB" OUTER CONSTRUCTION



DETAIL OF LOCK OR CHANNEL

MINUTES

REPORT OF THE COMMITTEE ON TESTS

Cal. No. 854-39-SM.

January 2, 1940.

Subject: Acme Kalamein Door, for fire resistive ratings up to 1½ hours.

Acme Kalamein Door and Sash Company, Inc., of New York, N. Y., filed on June 26, 1939, an application with the Board of Standards and Appeals for approval of a swinging kalamein door, under the provisions of C26-610.0 (10.1.18 BC), Administrative Code, and C26-661.0 (10.8.2 BC), Administrative Code, for a rating of one and one-half hours.

This opening protective assembly (Fig. 1) consists of a single panel kalamein door 2 ft. 11¾ in. wide, 6 ft. 8¾ in. high and 1¾ in. thick, swinging in a hollow steel frame on one pair of "Chicago Spring Hinges" with 6-inch flange and half surface for 1¾-inch doors, fastened to the door with bolts and grommet nuts and to the door frame with machine screws. The hinges are designated as NHS 9012 by the manufacturer. The door is further equipped with a Sargent cylinder lock set (No. CM 4748 TCF) with bronze trim and housed in the lock stile.

The door was hung with slight clearance on hinge stile, with 3/16-inch clearance on lock stile and bottom rail and 3/32-inch clearance on top rail. The door was hung so as to swing toward the test furnace.

The wood core in stiles and rails is of solid white pine, the four pieces being nailed together at each joint with two No. 20 penny nails at the sides and covered with No. 24 gauge metal, reinforced at the grooved edge with a No. 30 gauge metal channel through groove and returned on both sides of door, for more than the depth of groove, or at least 1¼ in., and the returns covered by the No. 24 gauge metal covering.

The panel is made up of a 3/8-inch-thick sheet of mill board asbestos covered with No. 24 gauge metal sheets glued to the surfaces. This panel is inserted into the grooves in stiles and rails and nailed thereto. The offset shoulder is covered by kalamein or hollow metal moulding of sufficient profile and nailed securely, but sufficiently loose to permit ventilation of gas that may be generated in the carbonization of wood cores.

Each door is hung in No. 16 U. S. gauge or heavier steel combination brick and trim, equipped with hardware reinforcements for hinges and lock strike, welded to the jamb portions. All reinforcing plates for hinges is not less than 1/8 in. in thickness. Lock strike reinforcement is not less than No. 12 U. S. gauge. Each jamb of the frame is provided with not less than three steel anchors for attachment to masonry wall or partition.

Tests of the sample selected were performed at the laboratories of the Protexol Testing Laboratory at Kenilworth, N. J. (report filed herewith) under the supervision of Mr. Rollin C. Bastress, Director of the laboratory. These tests, conducted on November 16, 1939, were witnessed by a committee of the Board, and were performed in accordance with the requirements of Group 5, Sub. Art. 1 of Article 10, Administrative Building Code, entitled "Fire Resistive Construction."

The door was set in a steel door frame set in the masonry of the furnace and the door identified and checked as to hardware and clearances and same were formed as described above. The test furnace was a brick structure 10 ft. by 12 ft. by 2 ft. with a swinging door having an opening 62 in. by 93 in. for receiving the test sample. Gas flames were applied with suitable controls for regulating temperatures.

The test was conducted in conformity with the standard time-temperature curve and maintained within the 5 per cent. tolerance. At the end of the one and one-half hour fire test the furnace door was opened and the hose stream test as provided for in Group 9, Sub. Art.

1 of Article 10, Administrative Building Code (10.1.9), was applied for a period of one minute without appreciable effect upon the structural condition of the opening protective assembly. After the hose stream test the lock was opened and the door swung open on its hinges. The lock stile was found to be warped about 1 in., but the opening protective assembly as a whole, though slightly warped, was found to be serviceable.

RESULT OF TESTS

The opening protective assembly previously described successfully withstood the fire and hose stream tests as required by the Administrative Building Code. There was no passage of flame and the smoke in considerable volume that occurred was slight, and due to the painted surface of the door.

The average temperatures during the tests were as follows:

Time	Furnace Temp.	Unexposed Surface of Door Temp.
½ hr.	1541° F.	583° F.
¾ hr.	1634° F.	713° F.
1 hr.	1684° F.	786° F.
1½ hr.	1769° F.	833° F.

Note: Initial air temperature was 63° F.

The rise in temperature of the exposed surface was 650° F. which was within the requirements of C26-610.0 (10.1.18), Administrative Building Code, for permitted temperature rise 713° F.—63° F. or 630° F.

RECOMMENDATION

On the basis of the foregoing data, the Committee recommends the approval of the 1½-hour Acme Kalamein Door as made by the Acme Kalamein Door and Sash Company, Inc., of New York, N. Y., when constructed in accordance with details as set forth herein, when used alone, as an opening protective assembly as meeting the requirements of C26-610.0 (10.1.18), Administrative Building Code. Approval is also recommended under C26-661.0 (10.8.2), Administrative Building Code as a protective assembly in fire partitions having a fire resistive rating of one and one-half hours and under the Multiple Dwelling Law, Article 1, Sec. 4, Item 10, requiring one hour fire resisting assembly, and under C26-662.0 (10.8.3), Administrative Building Code, for use in fireproof partitions requiring an opening protective assembly with a fire resistive rating of three-quarter hour with size of door limited to sample tested except as otherwise permitted under C26-610.0 (10.1.18) Administrative Building Code.

For any opening protective assembly manufactured under this approval the Rules of the Board for the Inspection of Opening Protective Assemblies shall be complied with.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, the report of the Committee on Tests recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Acme Kalamein 1½ to 2 Hour Fireproof Door, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

1455-39-SM.

APPLICANT—Williamsburg Fireproof Products Corporation, owner.

SUBJECT—Williamsburg One and One-Half Hour Fire Door, approval of.

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APPEARANCES—

For Applicant: George E. Strehan and B. Katz.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1455-39-SM)

WHEREAS, Williamsburg Fireproof Products Corporation, owner, filed November 29, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Williamsburg One and One-Half Hour Fire Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 2, 1940.

Cal. No. 1455-39-SM.

Subject: Williamsburg Kalamein Covered Door for fire-resistive rating up to one and one-half hours.

Williamsburg Fireproof Products Corporation of Brooklyn, New York, filed on November 29, 1939, an application with the Board of Standards and Appeals for approval of a swinging kalamein door under the provisions of C26-610.0 (10.1.18 B.C.) Administrative

Code and C26-661.0 (10.8.2 B.C.) Administrative Code for a rating of one and one-half hours.

This opening protective assembly consists of a single panel kalamein metal covered door 2 ft. 11 $\frac{3}{4}$ in. wide, 6 ft. 9 $\frac{1}{16}$ in. high and 1 $\frac{3}{4}$ in. thick, swinging in a hollow metal steel frame on one pair of 6-inch Bommer Spring Hinges. These hinges are designated by the manufacturer as No. 10009—Single action, and are attached to the door, which was fitted with a Sargent cylinder lock. The construction of this door (Fig. 1) includes details as follows:

Stiles and Rails are formed of 1 $\frac{3}{4}$ in. thick dried lumber, mortized and tenoned and covered with No. 24 gauge U.S. steel. The panel edges of the stiles and rails are notched to receive the integral groove formed with metal coverings. A No. 24 gauge steel channel covers the panel edges of stiles and rails and together with the flanges of the panel moulding, sets into the groove of the metal covering. Panel consists of asbestos millboard $\frac{3}{8}$ in. thick, covered on both sides with No. 24 gauge U.S. metal. This panel sets into a groove formed in the panel moulding which is of one piece design. In assembling, a steel pin is driven through the core to engage the tenon of the rails. The ends of the metal covering of the rails slip into the integral groove of the metal covering the stiles, forming a lock joint. The joints are soldered and scraped smooth. Vents are supplied through the integral channel on the fire side. Doors are hung on steel bucks of No. 16 U.S. gauge metal.

The door was hung in the test furnace bucks with a clearance of 5/32 and top and lock side, $\frac{3}{8}$ in. on hinge side and 3/16 at bottom. (Side and top clearances were from 1/32 to 3/32 greater than Dept. of Commerce F 83-28).

The test furnace is a fire brick structure approximately 10 ft. wide, 12 ft. high and 2 ft. deep with a swinging door having a rough opening 62 in. by 93 in. in which the test sample is set. Three observation ports are provided in each side of the furnace for viewing the exposed surface of the assembly during the test. In front of the furnace is a vestibule about 8 ft. x 8 ft. which provides facilities for making observations of smoke and flame passage as well as temperature rise.

The temperatures indicated by the thirteen couples are read by means of a Leeds & Northrup Potentiometer Temperature Indicator specially adjusted for use with chromelalumel thermocouples.

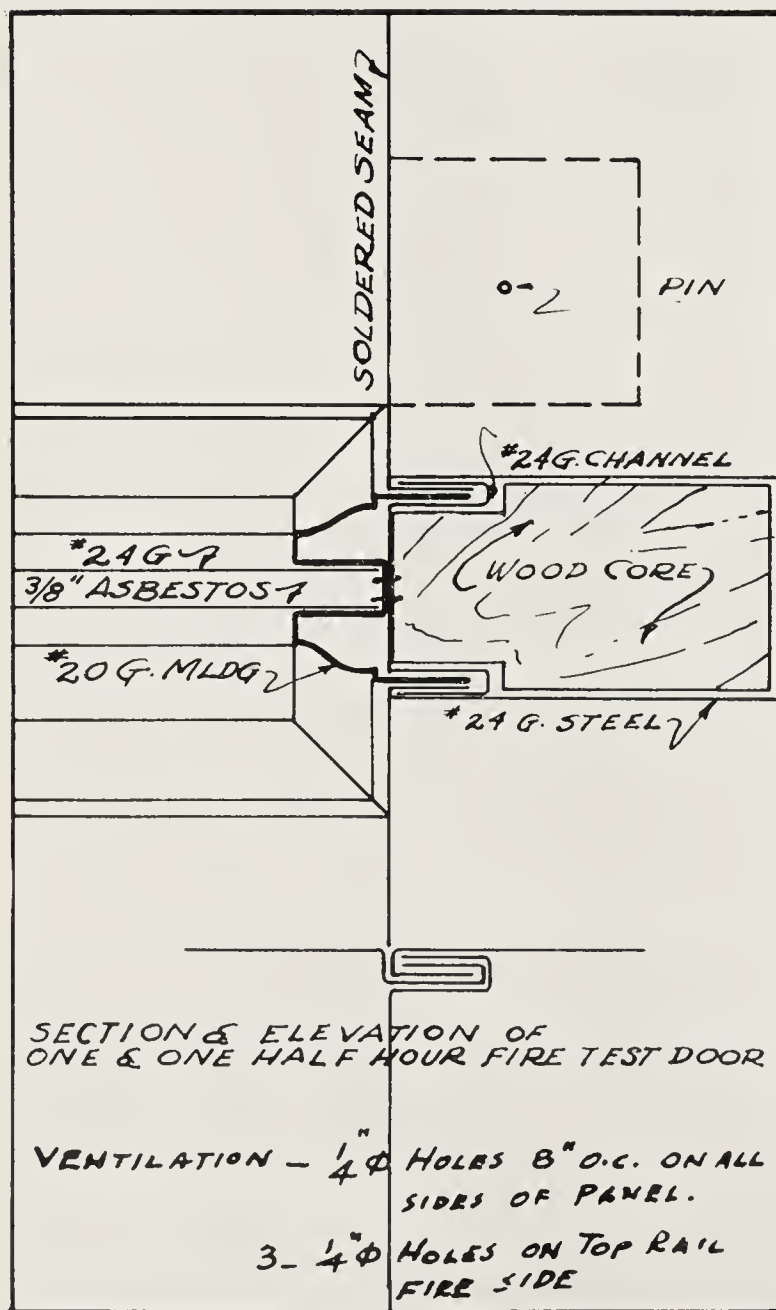
The vestibule is also equipped with a ventilating fan capable of producing from 2 to 16 changes of air per hour. The apparatus was adjusted to produce 10 changes per hour for this test.

Draft conditions in the combustion chamber are regulated by a butterfly damper in the metal flue which carries off the products of combustion. Changes in draft conditions are observed by means of a small open flame kerosene lamp placed at the outer end of a $\frac{3}{4}$ in. diameter pipe passing through the furnace door at a point 10 in. from the hinge side of the door and 5 ft. above the bottom of the door. The direction of air flow or pressure in the furnace can thus be determined visually at all times.

The temperatures within the furnace were raised in accordance with the required time-temperature curve. Readings of temperatures both within the furnace and on the unexposed face of the test sample are taken at 5 minute intervals during the entire 90 minutes of the test.

Hose Stream Test.

At the conclusion of the ninety minute fire test the furnace door was opened and the exposed side of the test sample subjected to the one minute standard hose stream. This stream was delivered at a distance



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of 20 ft., through a smooth bore nozzle having a $1\frac{1}{8}$ in. bore, supplied from the local fire hydrant through 150 ft. of $2\frac{1}{2}$ hose. The local water supply system operates at a pressure of between 70 and 75 pounds per square inch, and the necessary reduction was secured by only partly opening the hydrant valve. According to data supplied by the National Board of Underwriters a pressure at the hydrant of 47 pounds per square inch is needed to give the required nozzle pressure of 30 pounds per square inch through the hose and nozzle described. The pressure of the hydrant was measured with a gauge connected to one of the two outlets, the hose itself being connected to the other.

Note: These tests were conducted on December 8th, 1939, at the Protexol Testing Laboratory at Kenilworth, N.J. (Report No. Test 87 filed herewith) and witnessed by a committee of the Board. As outlined herein, tests were conducted in accordance with the requirements of Group 5, Sub. Art. 1, Art. 10 Adm. Bldg. Code entitled "Fire Resistive Construction".

The atmospheric conditions throughout the test were not uniform in that the day was very windy, the wind coming in gusts, and the temperature was 45° F. It appeared to the Committee that these conditions were unfavorable to the test, because of the effect of the gusts of wind on the furnace drafts.

Observation During Test—At the start of the test the representatives of the Board and one representative of the laboratory entered the vestibule for the purpose of observing the effects of transmitted heat and smoke transmission in the confined space of the vestibule and to measure deflections of door. The representatives of the Board remained in the vestibule for approximately one hour and outside of initial smoke due to burning paint on the door, the conditions in the vestibule were observed with no discomfort due either to smoke or heat and thus indicating good performance on the part of the door for the purpose intended.

Results of Tests—The opening protective assembly, as described, successfully withstood the fire and hose stream tests without passage of smoke and flame in considerable volume with average temperature as follows:

Time	Furnace Temp.	Unexposed Surface Temp.	Room Temp.
$\frac{1}{2}$ hour	1544	723	*104° F.
$\frac{3}{4}$ hour	1660	823	136° F.
1 hour	1638	836	161° F.
$1\frac{1}{2}$ hours	1797	891	210° F.

* Initial temperature of atmosphere 45° F.

The temperature of the unexposed surface ran higher than those recommended by the Code. The reason for this was undoubtedly the lack of ventilation openings in the stiles and rails. The panel was constructed of material identical with that of doors previously tested by the Board for the one and one-half hour rating in both hollow metal and kalamein construction, and tested at the same testing laboratory. Inasmuch as the transmitted temperature to the unexposed surfaces was through this panel, which was similar to other panels which successfully met the requirements, the Committee feels that the higher temperatures resulting from the unexposed surface were due to the abnormal furnace conditions caused by the high wind and the lack of ventilation in the door, so as not to permit the combustible gases caused by the carbonization of the wood to escape. Conditions in the vestibule protected by this door were such that throughout the entire test period safe egress through a hall protected by this type of assembly could be obtained with no discomfort or danger.

In addition, temperatures on thermo-couples numbered 1, 2, 9 and 10, at top and bottom of furnace, were low, and temperature at center of furnace at thermo-couples 4 and 6 were high during the first 45 minutes of test. The remaining thermo-couples, 3, 5, 7 and 8, were maintained in the range of the standard curve. Due to the high temperature readings with a maximum of 1880° F. at 55 minutes, thermo-couple No. 6 located at the center of the furnace, although the average of all readings was within the standard curve limitations, the conclusion is that the door was subjected to a severe temperature test. The reading of this same thermo-couple, No. 6, located at the center of the exposed side of the door at the end of 40 minutes was 1750° F., while the requirement for the standard curve for this elapsed time is approximately 1620° F., indicating a difference of 130° F. in excess of requirements, which condition undoubtedly affected the temperature gradient on the unexposed side at the 45 minute interval.

Recommendation—In consideration of the sound construction and assembly of the door, the Committee recommends the approval of the Williamsburg one and one-half hour Kalamein Door, as made by the Williamsburg Fireproof Products Co., of Brooklyn, New York, when constructed in accordance with the details as set forth herein, when used alone as an opening protective assembly under C26-661.0 (10.8.2) Administrative Building Code, as a protective assembly in fire partitions having a fire resistive rating of one and one-half hours, on condition that, in addition to the construction submitted, ventilation holes $\frac{1}{4}$ in. in diameter and 8 inches on centers shall be provided around all sides of the panel and including the interlocking channel and through the panel moulding at the base of the recess.

In addition thereto, there shall be provided three $\frac{1}{4}$ -inch round holes on top edge of door to permit ventilation of circulating air space and that Fig. 1 herein is corrected to show all the additional ventilation as herein recommended.

With these changes, the Committee recommends the approval of this opening protective assembly as meeting the requirements of C26-610.0 (10.1.18) Administrative Building Code.

Approval is also recommended under the provision of the Multiple Dwelling Law, Art. 1, Section 4, Item 10, requiring a one-hour fire resistive assembly, and under C26-662.0 (10.8.3) Administrative Building Code for use in fireproof partitions requiring an opening protective assembly with a fire resistive rating of $\frac{3}{4}$ -hour, with size of door limited to sample tested, excepting as otherwise permitted under C26-610.0 (10.1.18) Administrative Building Code.

For opening protective assemblies manufactured under this approval, the rules of the Board for the Inspection of Opening Protective Assemblies shall be complied with.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, the report of the Committee on Tests recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Williamsburg $1\frac{1}{2}$ Hour Fire Door, on condition that the material be manufactured, used, and labelled, stamped or tagged, in accordance with above report.

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1500-39-SM.

APPLICANT—The Safe Tread Company, Inc., owner.

SUBJECT—"Safe Tread" Anti-Slip Material (made of cast iron, cast bronze and cast aluminum alloy), approval of.

APPEARANCES—None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(1500-39-SM)

WHEREAS, The Safe Tread Company, Inc., owner, filed December 13, 1939, an application with the Board of Standards and Appeals for approval of the material known as "Safe Tread" Anti-Slip Material; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

December 29, 1939.

Re: Cal. No. 1500-39-SM.

Subject: "Safe Tread" Anti-Slipping Material—(Stairs, Landings, Saddles and Floor Plates).

The Safe Tread Company of New York City filed an application with the Board of Standards and Appeals for the approval of anti-slipping material, as hereinafter described, under the provisions of C 26-292, Subdiv. G-1 (6.4.1.7.1) of the Administrative Building Code.

The manufacturer contends that this material can be produced uniformly and in such sizes and shapes as may be required by job conditions. The plants at which this material is manufactured are located at Kingston, New York, Dansville, Pa., Flemington, N. J., and Panesville, Ohio.

Safe Tread Anti-Slipping material is made of cast metal, such as iron, bronze or aluminum alloy, having particles of corundrum abrasive embedded in the tread surface and made in various styles for use in ramps, stair treads, landings, door saddles, elevator door sills and floor plates. The depth of penetration of the abrasive varies with the thickness of the body of metal and the size of grain used, usually being about 1/16 inch in thickness, and when thick material is required, 1/8 in. in thickness. Where aluminum and bronze are used, the penetration may be approximately 1/20 of an inch. These treads when required to be strengthened are provided with reinforcing ribs to increase the stiffness.

Samples of these materials were subjected to tests by the Underwriters Laboratories. Report on Application No. 33C1588 is filed with this application. These tests were conducted on a new and worn sample of the cross-hatched floor plate for purposes of determining the nature of wear and a study of the coefficient of friction. The results of these tests are as follows:

Table 1 (New Material)

Test Conditions	Coefficient of Static Friction
Leather on dry surface	0.810
Rubber on dry surface	0.896
Leather on wet surface	1.041
Rubber on wet surface	0.926
Leather on oily surface	1.023
Rubber on oily surface	0.674

Table 2 (Worn Material)

Test Conditions	Coefficient of Static Friction
Leather on dry surface	0.709
Rubber on dry surface	0.662
Leather on wet surface	0.890
Rubber on wet surface	0.666

Leather on oily surface	0.960
Rubber on oily surface	0.466

In view of the foregoing data, the Committee concludes that this material is sufficiently reliable as to its anti-slip properties under heavy traffic conditions and that the material has a durability to withstand the effects of wear for a considerable period and possesses a high coefficient of friction. The Committee therefore recommends for approval the Safe Tread Company's "Safe Tread" Anti-Slip Material, when made of cast iron, cast bronze or cast aluminum alloy, in such sizes and shapes required by job conditions for the purpose of nosings, floor plates, elevator door sills, door saddles, stair treads, installation of ramps and in such other places where heavy pedestrian traffic exists, under C26-292, Subdiv. G-1 (6.4.17.1) and C26-527.0 (8.6.4) of the Administrative Building Code, when conforming with the requirements thereof.

This material is packed in boxes or bundles and when so packed, each box or bundle shall bear a tag, label or mark reading as follows: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 1500-39-SM" and when shipped individually each individual unit shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommends the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as 'Safe Tread' Anti-Slipping Material, *on condition* that the material be manufactured, installed and labeled, stamped or tagged in accordance with above report.

Adjourned, 5:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 25, 1938, as they appeared in Bulletin No. 44, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION

(428-38-BZ)

WHEREAS, Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., owner, filed May 31, 1938, an application under the building zone resolution, to permit the erection of an extension to an existing building on a plot located partly in an unrestricted and partly in a business use district, occupied by an existing gasoline service station; premises: 127-32 to 127-48 Northern Boulevard, south side, 40.02 ft. east of 127th place (Block No. 1829, Not No. 21), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; 127th place is in a business and unrestricted district and 34th avenue is in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 25, 1938, amended October 4, re application 9753-37, reads:

"3. The extension of a building for a gasoline service station building in a business district is con-

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trary to Art. II, Sec. 4a, Sub. 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 176.23 ft. on Northern boulevard and a depth of 119.52 ft., irregular in area, upon which there exists a one story accessory building 25 ft. $\frac{1}{2}$ in. by 20 ft. in area, ten 550 gallon gasoline tanks, 8 gasoline dispensing pumps and 2 encased grease pits; it is proposed to remove the existing 8 pumps and to install three new pump islands, having two pumps each and a new addition to the accessory building to be 21 ft. 6 in. by 24 ft. in area, approximately, to be used for lubritorium; the existing wood fences will be removed and a new lattice fence erected on the interior lot line, as shown on plans filed June 14, 1938, and

WHEREAS, the Board deemed that the provisions of section 7, subdivision C of the building zone resolution, under which this application was made, empowered it to exercise its discretion and to grant this application under such conditions as would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under Section 7-C thereof, to permit the existing area now legally occupied as a gasoline service station to be rearranged and the accessory buildings reconstructed substantially as indicated on plans filed with this application, on condition that the rear portion of the plot shall remain vacant and unoccupied; that the existing grease pits shall be removed; that the gasoline pumps shall be of the parkway type, no part of which shall be nearer than sixteen (16) ft. to the new building line of Northern boulevard; that the curb cuts shall not exceed those permitted under Permit Q621, issued on June 24, 1938, to permit three 32 ft. curb cuts including splay on each side of each cut; that the portion of the plot between the accessory buildings and the street line on Northern boulevard, shall be paved with concrete and the rear portion shall be covered with clean gravel; that the accessory buildings shall be constructed of fireproof materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that no open excavation shall be constructed on the plot, except the open pits for the greasing racks within the accessory building; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the gasoline pumps and to any legally existing signboards and including a post standard erected with the building line for support of a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than five (5) feet; that general illumination may be by means of flood lights on standards, provided such flood lights are equipped with metal reflectors and so arranged as to reflect toward the interior of the premises; that there shall be constructed on interior lot lines a substantial fence, as indicated on plans, not less than five (5) ft. in total height, erected on a concrete curbing; that these premises shall be used for no other use than as already legally permitted that no repairing shall be carried on and no storage or parking of cars other than those being serviced; that no portable gasoline pumps used on or from the premises; that any landscaping maintained, shall be protected with concrete curbing; that all permits required shall be obtained and all work involved shall be completed within six (6) months from the date of this action.

in line 59 of resolution and the words "to permit three 32 ft." inserted therefor and the words "plus $1\frac{1}{2}$ ft." deleted in line 60 of resolution and the word, "including" inserted therefor.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on November 14, 1939, as they appeared in Bulletin No. 47, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(610-28-S)

WHEREAS, John J. Gilmartin, for Rambusch Decorating Co., owner, filed, July 13, 1928, an application for a variation from the requirements of the labor law, as cited in an order of the fire commissioner, affecting premises 332 East 48th street, north side, 225 ft. west of First avenue (Block No. 1340, Lot No. 36), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated July 6, 1928 (Order No. 40366-LD), reads:

"I. Arrange fire escape on rear of building and the openings leading thereto and the windows opening on the course thereof so that same are in compliance with the provisions of Section 273 and 284 of the Labor Law and the rules of the Board of Standards and Appeals, or carry out a proper alternative method of complying with the requirements of Section 271 of the Labor Law.

"Among the defects noted are the following:

(b) No fireproof passageway from lower termination of fire escape to street."

and

WHEREAS, the building is non-fireproof, four stories in height, 25 ft. by 95 ft. in area; OCCUPIED by one tenant as a metal working establishment: 1st story, 10 persons; 2nd story, 10 persons; 3rd story, 3 persons; 4th story, 3 persons; EXITS: an interior wooden stairway, extending from the first story to top story (with iron ladder to scuttle in roof), enclosed partitions constructed of wood, covered on both sides with $\frac{1}{2}$ -inch plaster boards, with wood doors at openings, with a 60-degree fire escape on the rear of the building, having fireproof openings along the course thereof, extending from the roof to the rear yard, with EGRESS from the termination of the fire escape by means of door in fence leading to yards of premises to east and thence through hallways at yard level leading to street; ROOFS of adjoining buildings: 8 ft. higher; and

WHEREAS, the applicant, in view of the light occupancy and non-hazardous use of the premises, requests the acceptance of the existing means of egress; and

WHEREAS, this application was granted by the board November 27, 1928, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on November 27, 1928, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law, and that the application be and it hereby is granted, only so far as it affects the egress from the termination of the rear fire escape, on condition that a doorway in the fence leading to the open yard of the two adjoining premises to the east, namely 334-336 East 48th street, be maintained, with egress from the adjoining yards through hallway of tenement house direct to the street, on condition that the fire escape shall otherwise comply with the labor law in all respects and the building be not increased in height or area and so long as the occupancy remain unchanged.

Resolved further, that in the event the proposed exit to the east through buildings at 334-336 East 48th

* Correction—The words "calling for three 27 ft." deleted

MINUTES

street cannot be maintained because of the reconstruction, the getaway from the termination of the rear fire escape may be by means of a doorway in the fence leading to the open yard at the west, from which access to East 48th street will at all times be available through an existing passage in the basement from yard to street; that if such getaway is maintained, it may be considered as satisfying the requirements of

Violation 2663-39, issued by the borough superintendent of buildings."

* Correction—The numbers "234-236 East 38th" changed to "334-336 East 48th" in line 53 of resolution and the numbers "38th" in lines 61 and 66 of resolution, changed to "48th."

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 3

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Rules Directory.

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Minutes of Regular Meeting January 9, 1940, at 2 P. M., Affecting Calendar Numbers 1401-39-A, 1454-39-A, 7-40-A, 1177-39-A, 1297-39-A, 1430-39-A, 1445-39-A, 1461-39-A, 1488-39-A, 3-40-A, 203-37-A, 995-39-A, 110-36-SA, 733-38-SM, 764-39-SM, 798-39-SM, 814-39-SM and 986-39-SM.

Rules for Liquefiers used to convert solid carbon dioxide to a liquid and/or a gas.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to January 9, 1940.

Cal. No. Department Premises Affected

3-40-A.....H.B.Q.....47-14 56th drive, south side,
97.98 ft. east of 47th street
(Block No. 2554, Lot No. 50),
Laurel Hill, Borough of
Queens, N.B. 10199-39.

4-40-A.....H.B.B.....8018 Fifth avenue, west side,
64 ft. 3 $\frac{3}{4}$ in. north of 81st
street (Block No. 5989, Lot
No. 49), Borough of Brook-
lyn, B.N. 6792-39.

5-40-BZ....H.B.Q.....89-17 to 89-53 165th street,
east side, 319 ft. north of
Jamaica avenue, and 89-18 to
90-16 166th street (Block No.
9795, Lot Nos. 83, 85, 30, 89,
130, 94, 98 and 101), Jamaica,
Borough of Queens,
Alt. 2082-39.

6-40-A.....H.B.B.....48-62 Westminster road, west
side, 102 ft. north of Church
avenue (Block No. 5072, Lot
Nos. 25, 26, 28 and 29),
Borough of Brooklyn,
Amendment to N.B. 2600-39.

7-40-A.....H.B.M.....414-415 Riverside drive, east
side, 52 ft. 7 $\frac{7}{8}$ in. south of
West 114th street (Block No.
1895, Lot Nos. 75, 78 and
79), Borough of Manhattan,
Alt. 3898-39.

8-40-SM.....Standard Clay Products Com-
pany Glareless Building Tile
Units (Facing Tile, size 4 in.
x 5 in. x 8 in. and 4 in. x 5
in. x 12 in.), manufactured by
Standard Clay Products Com-
pany, Material.

9-40-A.....H.B.Q.....159-49 Whitestone street, east
side, 70 ft. north of Academy
street (Block No. 3979, Lot
No. 355), Whitestone, Bor-
ough of Queens,
N.B. 8307-39.

10-40-SM.....Forest Hills Concrete Block
Company, Inc., Concrete and
Cinder Blocks, manufactured
by Forest Hills Concrete
Block Company, Inc.,
Material.

11-40-SM.....Taylor Bracket Strip (Metal
Wall Furring Strip), manu-
factured by Simplon Products
Corporation, Material.

12-40-SM.....Simp-L-On and Modified Simp-
L-On (Adjustable Metal Wall
Furring), manufactured by
Simplon Products Corpora-
tion, Material.

13-40-A.....H.B.Q.....112-33 167th street, north side,
100 ft. west of 114th avenue
(Block No. 3088, Lot No.
36), Cedar Manor, Borough
of Queens,
Misc. Applic. 7697-39.

14-40-A.....H.B.B.....486 Pennsylvania avenue, west
side, 190 ft. 2 in. north of
Livonia avenue (Block No.
3805, Lot No. 38), Borough
of Brooklyn, Alt. 5319-39.

15-40-A.....H.B.M.....75 Irving place, west side, 90
ft. south of East 19th street
(Block No. 874, Lot No. 65),
Borough of Manhattan,
Decision re Viol. 1707-39.

16-40-A.....H.B.Q.....165-18 South road, south side,
110.72 ft. east of 165th street
(Block No. 1199 (10164),
Lot No. 40), Jamaica, Bor-
ough of Queens,
N.B. 6809-39.

17-40-BZ....H.B.M.....160-168 East 110th street, south
side, 125 ft. east of Lexington
avenue (Block No. 1637, Lot
Nos. 43 to 47, inclusive),
Borough of Manhattan,
Decision re Certificate of
Occupancy.

18-40-BZ....H.B.B.....184 Woodbine street, south
side, 225 ft. east of Central
avenue (Block No. 3360, Lot
No. 15), Borough of Brook-
lyn, Alt. 5504-39.

19-40-A.....H.B.Q.....East side of Parsons boulevard,
between Goethals avenue and
82nd drive (Block No. 6858,
Lot No. 3), Jamaica, Borough
of Queens (Triboro Hospital),
Decision re N.B. 3728-38
and Corr. 1092-39.

20-40-SM.....Metro Concrete Block, Metro
Cinder Block, Metro Concrete

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Tile and Metro Cinder Tile,
manufactured by Tomal Cor-
poration, Material.

21-40-A.....F.D.....163 South street, west side, 20
ft. 4 in. north of Dover street
(Block No. 108, part of Lot
No. 8), Borough of Manhat-
tan, 18768-L.C. and Decision.

22-40-A.....F.D.....1244 Fulton street, south side,
300 ft. west of Nostrand ave-
nue (Block No. 1860, Lot
No. 37), Borough of Brook-
lyn, 3032-L.F. and Decision.

23-40-SA.....Filtermaster, Models B-10 and
B-25 (Oil Conditioning Equip-
ment, Appliance.

24-40-A.....H.B.B.....1860 74th street, south side, 128
ft. west of 19th avenue (Block
No. 6216, Lot No. 35), Bor-
ough of Brooklyn,
Alt. 5271-39.

25-40-A.....H.B.Q.....83-02 Cornish street, northeast
corner of Poeyer street (Block
No. 1544, Lot Nos. 1, 3, 4, 6,
7 and 9), Elmhurst, Borough
of Queens, N.B. 7391-39.

26-40-A.....H.B.M.....545 West 20th street and 120-
126 11th avenue, northeast
corner (Block No. 692, Lot
No. 7), Borough of Manhat-
tan, Alt. 3711-39.

27-40-BZ....H.B.Q.....144-25 North Conduit avenue,
north side, 215 ft. west of
135th avenue (Block No.
2873, Lot No. 18), South
Ozone Park, Borough of
Queens, N.B. 8485-39.

28-40-BZ....H.B.Q.....1480 Clintonville street, west
west side, 1 ft. north of Cross
Island boulevard (Block No.
4697, Lot Nos. 15-18), White-
stone, Borough of Queens,
N.B. 8544-39.

29-40-A.....H.B.M.....170 Nassau street, southeast
corner of Frankfort street
(Block No. 102, Lot No. 2),
Borough of Manhattan,
Decision.

30-40-BZ....H.B.M.....114-118 Lewis street, east side,
125 ft. south of East Houston
street (Block No. 330, Lot

Nos. 45, 46 and 47), Borough
of Manhattan,

Decision re Certificate of
Occupancy.

31-40-SM.....Pre-Crete Hollow Building
Units and Mahlstedt Hollow
Building Units, manufactured
by Pre-Crete Masonry Prod-
ucts, Inc., Material.

32-40-A.....F.D.....1211-1215 DeKalb avenue, north
side, 151 ft. 8½ in. east of
Bushwick avenue (Block No.
3231, Lot Nos. 33 and 34),
Borough of Brooklyn,
3306-L.F. and Decision.

33-40-A.....F.D.....3008-3010 Church avenue, south
side, 85 ft. 2¾ in. east of
Nostrand avenue (Block No.
4884, Lot No. 1), Borough of
Brooklyn, 3684-L.F.

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H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

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Plumbing Rules (Prevention of Con- tamination of Water Supply)	Nov.	7, 1939—Vol. 24, No. 45
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Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
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JANUARY 16, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner, and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 845-39-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9,

10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 481-39-BZ—Application, April 17, 1939, under sections 7h and 21 of the building zone resolution, of Louis Holtzman and Benjamin Weinberg, applicants and lessees, on behalf of Our Lady Help of Christians Church of Albany, New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 699 East 149th street, north side, 45 ft. east of Trinity avenue (Block No. 2623, part of Lot No. 140), Borough of The Bronx.

CAL. NO. 1357-39-BZ—Application, November 3, 1939, under section 7c of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of New Era Management Corporation, owner, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre; premises 87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

CAL. NO. 1448-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Anthony M. De Rose, applicant, on behalf of Lederer Homes, Inc., owner, to permit in a residence use district and, also, "E" area district, the maintenance of five (5) one-family dwellings not conforming with "E" area requirements; premises 927-935 Elder avenue, west side, 230.25 ft. to 308.25 ft. north of Story avenue (Block No. 3651, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

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CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 748-39-BZ—Application, June 7, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George A. Tibbals and Samuel G. Tibbals, owners (Louis Kurfist and Joseph Greenspan, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 37-02 to 37-20 73rd street and 72-02 to 72-30 37th avenue, southwest corner (Block No. 1283, Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 1285-39-BZ—Application, October 17, 1939, under sections 7h and 21 of the building zone resolution, of Manoug Exerjian, applicant, on behalf of Sarkisian Realty Company, Inc., owner (Howard Rosenblatt, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 21-29 44th drive, north side, 90 ft. east of 21st street (Block No. 438, part of Lot No. 6), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1940, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1414-39-A—331-353 McKibben street, northwest corner of Bogart street (2nd floor); (Block No. 3083, Lot No. 30), Borough of Brooklyn.

1401-39-A—180 South street, west side, 140 ft. south of Roosevelt avenue (Block No. 110, Lot No. 14), Borough of Manhattan.

1298-39-A—361 Stagg street and 195 Morgan avenue, northwest corner (Block No. 3029, Lot No. 65), Borough of Brooklyn.

1499-39-A—46 Maujer street, south side, 25 ft. west of Lorimer street (Block No. 2791, Lot No. 27), Borough of Brooklyn.

1525-39-A—81 Vesey street, southeast corner of Washington street (Block No. 83, Lot No. 10), Borough of Manhattan.

1533-39-A—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851 Lot No. 51), Glendale, Borough of Queens.

1398-39-A—300-304 West 22nd street and 231-235 Eighth avenue, southwest corner (Block No. 745, Lot No. 40), Borough of Manhattan.

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1467-39-A—135-139 West 26th street, north side, 375 ft. west of Sixth avenue (Block No. 802, Lot No. 19), Borough of Manhattan.

1471-39-A—99 West 9th street, north side, 84 ft. 10½ in. east of Henry street (Block No. 536, Lot No. 47), Borough of Brooklyn.

22-40-A—1244 Fulton street, south side, 300 ft. west of Nostrand avenue (Block No. 1860, Lot No. 37), Borough of Brooklyn.

1495-39-A—2305 12th avenue, east side, 30 ft. north of West 131st street (Block No. 1998, Lot No. 3), Borough of Manhattan.

1540-39-A—30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan.

44-40-A—735 Park avenue and 101-113 East 71st street, northeast corner (Block No. 1406, Lot Nos. 1 to 6, inclusive, and Lot No. 6½), Borough of Manhattan.

1514-39-A—90-98 Flatbush avenue, west side, 110 ft. north of Schermerhorn street (Block No. 174, Lot No. 18), Borough of Brooklyn.

1513-39-A—136-146 Marshall street, south side, 150 ft. east of Gold street (Block No. 12, Lot No. 1), Borough of Brooklyn.

6-40-A—48-62 Westminster road, west side, 102 ft. north of Church avenue (Block No. 5072, Lot Nos. 25, 26, 28 and 29), Borough of Brooklyn.

14-40-A—486 Pennsylvania avenue, west side, 190 ft. 2 in. north of Livonia avenue (Block No. 3805, Lot No. 38), Borough of Brooklyn.

792-39-A-WF—139-01 Union turnpike, north side, 50 ft. west of Vleigh place (Block No. 6631, Lot No. 1), Kew Gardens, Borough of Queens.

1052-39-A—Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk), (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens.

1502-39-A—79-39 Oceania street, east side, 400.02 ft. south of Richland avenue (Block No. 7766, part of Lot No. 1), Flushing, Borough of Queens.

1510-39-A—56-14 Nurge avenue, south side, 135 ft. east of 56th street (Block No. 2643, Lot No. 34), Maspeth, Borough of Queens.

1527-39-A—150-24 Northern boulevard, southwest corner of 150th place (Block No. 5032, Lot Nos. 24 and 25), Flushing, Borough of Queens.

1528-39-A—4-21 26th avenue, north side, 200.19 ft. east of Perrot place (Block No. 907, Lot No. 1), Long Island City, Borough of Queens.

9-40-A—159-49 Whitestone street, east side, 70 ft. north of Academy street (Block No. 3979, Lot No. 355), Whitestone, Borough of Queens.

19-40-A—East side of Parsons boulevard, between Goethels avenue and 82nd drive (Block No. 6858, Lot No. 3), Jamaica, Borough of Queens (Triboro Hospital).

16-40-A—165-18 South road, south side, 110.72 ft. east of 165th street (Block No. 1199 (10164), Lot No. 46), Jamaica, Borough of Queens.

25-40-A—83-02 Cornish street, northeast corner of Poeyer street (Block No. 1544, Lot Nos. 1, 3, 6, 7 and 9), Elmhurst, Borough of Queens.

Variation of the Labor Law.

1374-39-S—310-312 Dean street and 77-81 Third avenue, southeast corner (Block No. 198, Lot Nos. 7 and 10), Borough of Brooklyn.

JANUARY 23, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1216-39-BZ—Application, October 25, 1939, under sections 7a and 7c of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of 352 West 44th Street Corporation, owner, to permit in a residence use district, the alteration and, also, the extension of an existing business use in an existing building; premises 352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan.

CAL. NO. 587-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of The Long Island Railroad Company, owner, to permit partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 1520-1524 Avenue "P", southwest corner of East 16th street (Block No. 6778, part of Lot No. 8), Borough of Brooklyn.

CAL. NO. 28-29-BZ—Application of Sidney H. Kitzler, applicant, on behalf of Philip Gindoff, owner (George Cohen, lessee), reopened April 25, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of an alcove gasoline service station in a garage for more than five (5) motor vehicles previously granted by the Board (a portion, only, of which was erected); premises 433-443 Empire boulevard, north side, 101 ft. 2 in. east of New

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York avenue (Block No. 1310, Lot No. 73), Borough of Brooklyn.

CAL. NO. 624-38-BZ—Application, July 14, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Arthur J. Largy, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

CAL. NO. 628-39-BZ—Application, May 16, 1939, under sections 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

CAL. NO. 1256-39-BZ—Application, October 11, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Morris Rosen, owner, to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Thomas I. Sheridan, applicant and

lessee, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1940, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubritory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

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CAL. NO. 762-39-BZ—Application, June 9, 1939, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Emigrant Industrial Bank, owner (Paul Morra, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 338-340 East 8th street, south side, 83 ft. west of Avenue "C" (Block No. 390, Lot Nos. 27 and 28), Borough of Manhattan.

CAL. NO. 823-39-BZ—Application, June 20, 1939, under section 7h of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Messmore Kendall, owner (Northeast White Tower System, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 231-235 West 50th street, north side, 255 ft. east of Eighth avenue (Block No. 1022, Lot Nos. 12 and 13 and part of Lot No 5), Borough of Manhattan.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

CAL. NO. 1057-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Chemical Bank and Trust Company and Marie Buckley, as sub-trustees u/w of Josephine Guidet Buckley for benefit of Marie Buckley, owners, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 2002-2014 Neptune avenue and 2802-2820 West 20th street, southwest corner (Block No. 7018, Lot No. 9), Borough of Brooklyn.

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 979-24-BZ—Application of Saul Goldsmith, applicant, on behalf of Joseph A. Redmond and John J. Redmond, owners; reopened October 24, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of a store—previously granted by the Board for the conduct of retail business—to an undertaking establishment; premises 6930 Fourth avenue and 379 Ovington avenue, northwest corner (Block No. 5872, Lot No. 54), Borough of Brooklyn.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

CAL. NO. 89-38-BZ—Application, February 14, 1938, under sections 7h and 21 of the building zone resolution, of Isaac T. Flatto, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1682 Palmetto street and 714 Cypress avenue, southeast corner (Block No. 3449, part of Lot No. 6), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1940, 10 A.M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on

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behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 767-39-BZ—Application, June 9, 1939; dismissed for lack of prosecution December 19, 1939; reopened and restored to calendar January 3, 1940, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Philip Levison and Estate of Benjamin Anchell, owners (Thomas Kallenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 675-22-BZ—Application of Otto A. Staudt, applicant, on behalf of Herman Stursberg Realty Company, owner; reopened January 3, 1940, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system; premises 250-272 Willis avenue, east side, between East 138th street and East 139th street, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue, and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 92-36-BZ—Application of Hirsh, Newman, Reass and Becker, applicants, on behalf of Consolidated Biological Products, Inc., owner, reopened July 5, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board); premises 109-131 West 50th street, north side, and 110-130

West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

CAL. NO. 433-39-BZ—Application, April 4, 1939, under sections 7h and 21 of the building zone resolution, of Bernard Shatzkin, applicant, on behalf of Maribert Realty Corporation and Lever and Sidway, Inc., owners, to permit, partly in a business use district and partly in an unrestricted use district, the parking of more than five (5) motor vehicles; premises 225 Nagle avenue, southeast corner of Academy street, block bounded by Academy street, Nagle avenue, Tenth avenue and West 204th street (Block No. 2216, Lot Nos. 1, 7, 11, 15, 24, 27 and 42), Borough of Manhattan.

CAL. NO. 702-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Holy Name Mission of the Bowery District, Inc. and Second Street Holding Company, Inc., owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 7-19 East 2nd street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13 to 19, inclusive), Borough of Manhattan.

CAL. NO. 1332-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 30-32 Willett street, southeast corner of Delancey (Marginal) street (Block No. 337, Lot Nos. 38, 40 and 41), Borough of Manhattan.

CAL. NO. 872-39-BZ—Application, June 28, 1939, under sections 7h and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Berk Bres Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a gasoline service station; premises 7001-7019 Bay Parkway, southwest corner of West 10th street, and 1-21 Avenue "O" (Block No. 6574, Lot No. 6), Borough of Brooklyn.

CAL. NO. 877-39-BZ—Application, June 29, 1939, under section 7a of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Max Kahn, owner (Family Laundry Service, Inc., lessee), to permit in a residence use district the erection and maintenance of a pit for a pre-heating water coil used in conjunction

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with the existing laundry on the premises and, also, the maintenance of an existing frame shed; premises 1059-1063 63rd street, north side, 140 ft. west of Eleventh avenue, and 1062-1064 62nd street (Block No. 5730. Lot No. 32), Borough of Brooklyn.

CAL. NO. 1204-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolution, of Edward J. Hurley, applicant, on behalf of Chiara Catella, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to 4225 Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx.

CAL. NO. 1421-39-BZ—Application, November 17, 1939, under section 7h of the building zone resolu-

tion, of John McBride, applicant and lessee, on behalf of Fordbrad Realty Company, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 6, 1940, 2 P.M.

Appeal from Administrative Decision.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 9, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, December 5, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, December 5, 1939, were approved as printed in Bulletin No. 50, Vol. 24.

BUILDING ZONE CASES

188-39-BZ.

APPLICANT—H. B. Pickering, for The Nicholls Holding Company, Inc., owner (The R. M. B. Holding Corporation, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—204-208 East 45th street, north side, 80 ft. east of Third avenue, 209-211 East 44th street, and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Levy.

For Opposition: None.

ACTION OF BOARD—Laid over to February 6, 1940, at 10 A.M., for further consideration by the Board.

670-39-BZ.

APPLICANT—Samuels and Samuels, for Traders Building Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the

building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application withdrawn, on written request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0

876-39-BZ.

APPLICANT—Arthur W. Renander, for Anne Adelman and Henrietta Soloman, owners (Jamaica Parking and Realty Company, Inc., Lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander and William Eckert.

For Opposition: M. H. Blek and Herman Meyer.

ACTION OF BOARD—Application withdrawn.

MINUTES

THE VOTE TO WITHDRAW:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

929-39-BZ.

APPLICANT—Lama and Proskauer, for Oliver S. Chatfield, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in an area of the gasoline station by the relocation of the front wall of the garage.

PREMISES AFFECTED—97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Mrs. Hattie Mercer.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(929-39-BZ.)

WHEREAS, Lama and Proskauer, for Oliver S. Chatfield, owner, filed July 11, 1939, an application under sections 7a and 21 of the building zone resolution, to permit in a business use district, the alteration of an existing garage and gas station, and the increase in area of the gas station by the relocation of the front wall of the garage; premises: 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; 97th street and 98th street are in residence and business use districts, and 32nd avenue is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent dated July 3, 1939 and as amended November 13, 1939, reads:

"Application to permit the alteration of existing garage and the extension of an existing gasoline service station is contrary to Art. II, Sec. 4(a) B.Z. Resl. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft on Northern boulevard and 100 ft. on 97th street, upon the easterly portion of the plot there is located a garage one story and basement in height, and 50 ft. by 100 ft. in area; upon westerly portion of the Northern boulevard frontage of the plot there is located a gasoline service station. It is proposed to remove and to relocate a part of the front wall and a part of the west wall of the existing garage and to use the resulting area, having a frontage of 35 ft. 4 in. on Northern boulevard, irregular in area, as an extension to the existing gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under sections 7a and 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under sections 7a and 7c thereof, to permit the extension and rearrangement of the existing gasoline service station and garage, on condition that the rearrangement and alteration shall be in accordance with revised working plans marked "received December 27, 1939"; that the rear space, between the rear wall of the accessory building and the northerly lot line, shall not be used for the parking or storage of automobiles, but shall be used solely for an entrance driveway from 97th street to the garage cellar; that such driveway shall be parallel to the northerly lot line and not over 15 ft. in width; that a wall not less than 2 ft. in height shall be constructed along the southerly side of such driveway; that the space between such wall and the rear wall of the proposed accessory building shall be graded and kept planted at all times with suitable shrubbery; that all existing gasoline pumps shall be removed and and no gasoline pumps shall be constructed nearer than 12 ft. to any street building line; that the curb cuts shall consist of two to Northern boulevard, 30 ft. in width each, and one to 97th street, 20 ft. in width, located as shown on plan; that curbs shall be restored at all points where not required for curb cuts, except that the existing curb cut for entrance to the cellar garage may be retained for the width of 13 ft.; that signs shall be restricted to permanent signs attached to the wall of the accessory building and to the illuminated globes of the pumps, excluding all temporary signs and roof signs, but permitting the construction within the building line, surrounded by a block of concrete 1 ft. in height, and 5 ft. in length on each street near the intersection of the streets of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the entire gasoline selling area shall be paved with cement concrete or other similar impervious material; that the existing wall on the lot line to the east, from Northern boulevard to the new wall of the accessory building, shall be retained for a height of not less than 10 ft., and properly coped and stuccoed; that the fence on the street and interior lot lines to the north shall be maintained in good condition at all times; that there shall be no parking of cars other than those being serviced, and no automobile repairing carried on; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution; that the plans marked "received December 27, 1939" are hereby approved for design and arrangement, as being substantial compliance with the requirements of this resolution.

951-39-BZ.

APPLICANT—Emil Koeppel, for Madeline Hecht, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emil Koeppel and C. A. Citron.

For Opposition: Ruth C. Harron.

For Administration: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT—

Affirmative 0
 Negative: Chairman Murdock, Commissioners
 Savage and Blum and Assistant Chief
 Walsh 4

THE RESOLUTION—

(951-39-BZ.)

WHEREAS, Emil Koepfel, for Madeline Hecht, owner, filed July 14, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lots 11 and 12), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Henry street is in a business use district; Fulton street is in unrestricted and business use districts; Poplar street is in an unrestricted use district; Mid-dagh street is in residence, unrestricted and business use districts, and Main street is in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent, dated June 29, 1939, in acting on N. B. Applic. No. 1747-39 reads:

"Gasoline service station, office, auto laundry and lubrication in a business use district is a prohibited use. Proposition denied."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground, having a frontage of 70.6 ft. on Henry street and 62 ft. on Fulton street. It is proposed to erect upon the plot a one-story building, 20 ft. by approximately 60 ft, irregular in area, to be occupied as an auto laundry, lubricatorium and office, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE

January 8, 1940.

Re: Cal. No. 951-39-BZ.
 1-7 Henry st., s.e. cor.
 Fulton street, Brooklyn.

The site for which a zoning variance is sought at the above location is now vacant, the buildings formerly on the plot having been demolished. It is claimed that the plot cannot again be put to a conforming use because of its relatively small size, the general condition of the area and the traffic.

In the opinion of the Committee, the plot, if used for gasoline station, would seriously interfere with traffic conditions particularly because of its small size and the grades of the streets. It is also diagonally opposite a playground. While the buildings in the area are generally old, they are being occupied except for the one adjoining, and certain buildings have recently been revamped. There appears to be no need for a gasoline station at the location. There are extensive unrestricted areas where gasoline stations, if needed, can be located in the immediate vicinity.

The Committee after inspection and consideration of the statement of the applicant and of the objections, do not find that the Board should exercise its discretion to grant under section 21.

Harris H. Murdock,
 Chairman.
 Bernard A. Savage,

Charles M. Blum,
 Patrick Walsh,

Committee.

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed, and that the application be and hereby is denied.

856-39-BZ.

APPLICANT—Frank E. Wall, for Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station, and also the extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Frank E. Wall.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(856-39-BZ)

WHEREAS, Frank E. Wall (Staten Island Service Stations, Inc., lessee) for Frank J. Humphreys, owner, filed June 26, 1939, an application under sections 7a and 21 of the building zone resolution to permit in a business use district, the extension of an existing gasoline station, and also the extension of an accessory building in an existing gasoline service station; premises: 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot. No. 66), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Forest avenue is in a business use district; Broadway and Myrtle avenues are in business and residence use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 5, 1939, reads:

"Your application N.B. No. 153/1939, filed in this Department on June 5th, 1939, for the erection of a building for a gasoline service station at premises 823 Forest avenue, Borough of Richmond, is hereby denied, it being contrary to Zoning Resolution, Sec. 4(a) to erect a gasoline service station in a business use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 76 ft., a distance of 144 ft. along the east lot line and 135 ft. along the west lot line. Upon the east portion of the plot, there is located a gasoline service station having a frontage of 37 ft. 6 in. and a depth of 100 ft. It is proposed to occupy the entire lot as a gasoline service station, and, also to extend the area of the existing accessory by the erection of an addition (24 ft. 6 in. by 28 ft.) to be used for greasing and washing cars; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

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WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant, under sections 7a and 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations, and that the application be and hereby is *granted* under sections 7a and 7c, to permit the rearrangement and reconstruction of the existing legal gasoline service station substantially in accordance with revised plans marked "received January 4, 1940," on condition, that the accessory building shall be constructed of incombustible material, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood; provided that the ceiling throughout is fire-retarded in accordance with the rules of the Board and the roof is surfaced with non-inflammable material; that the fence and gates to the rear, on the rear line of the accessory building to the side lot lines, may be of wood; that the rear portion of the plot shall not be used for parking or repairing of cars; that the hedges surrounding the plot shall be maintained in good condition at all times, at the approximate height of 3 ft. 6 in.; that the front portion of the plot from the enclosing fence to the street building line shall be paved with cement, colprovia, or other suitable impervious material; that no pumps shall be erected nearer than 15 ft. to the street building line; that the curbs on Forest avenue shall be restored, except for two curb cuts, each 25 ft. in width, as shown; that signs shall be restricted to permanent signs attached to the front of the accessory building and to the illuminated globes of the pumps, excluding all temporary signs and roof signs, but permitting the construction within the building line, of one post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

691-39-BZ.

APPLICANT—Thomas M. Bell, for Gainsborough Studios, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7a of the building zone resolution, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street.

PREMISES AFFECTED—222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas M. Bell.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh 3

THE RESOLUTION—

(691-39-BZ)

WHEREAS, Thomas M. Bell, for Gainsborough Studios, Inc., owner, filed on May 23, 1939, an application under section 7a of the building zone resolution, to permit in a residence use district the installation of a door leading from a restaurant and cafe on the 1st story of the existing building, to the street; premises: 222-224 West 59th street, south side, 325 feet west of 7th avenue (Block No. 1030, Lot, No. 46), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting,

January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 59th street is in residence and business use districts; West 58th street is in business and retail use districts; Broadway is in a retail use district; Seventh avenue is in residence, retail and restricted retail use districts;

and

WHEREAS, the decision of the Borough Superintendent, dated May 3, 1939, in acting on Alt. Applic. No. 3299-38 reads:

"A-3. Door to street which is supposed to be installed from dining room and cafe creates a new arrangement contrary to Zon. Resolutions for residence district. Objection not removed."

and

WHEREAS, the existing building is of fireproof construction, 15 stories in height, with a frontage of 50 ft. and a depth of 94 ft. It was erected in 1907 and is occupied on the 1st story as showroom, dining room and cafe; upper stories—multiple dwelling. It is proposed to install a door in the westerly portion of the 1st story of the street wall of building, leading from dining room and cafe to street; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision a, of the building zone resolution.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

310-39-BZ.

APPLICANT—Alexander Ketterson, for Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Rev. Alexander Ketterson, Herman Kron, R. W. B. Elliott and Bernard F. Stern.

For Opposition: Edgar M. Souza, George Harris, and Andrew Taggard.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(310-39-BZ)

WHEREAS, Dr. Alexander Ketterson, Rectors (Herald Parking & Renting, Inc., lessee), for Ascension Memorial Church, owner, filed March 13, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles; premises: 249-253 West 43rd street, north side, 200 ft. east of 8th avenue, (Block No. 1015, Lot, Nos. 10 and 11), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the building zone resolution show that West 43rd street, West 44th street, 8th avenue, and 7th avenue are all in retail use districts, and

WHEREAS, the decision of the borough superintendent, dated March 9, 1939, and as amended November 2, 1939, reads:

"Your application dated October 19, 1939 for a certificate of occupancy has been denied for the reason that the premises located in a retail district and at present occupied as a church and rectory; said rectory is located on the rear of the easterly section of the premises; buildings should be removed before any action can be taken on your application for a parking lot."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 100. ft. 5 in. It is proposed to demolish the church and rectory now located on the site, and to occupy the premises, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years, to permit the plot under appeal to be occupied for the transient parking of automobiles, *on condition*, that only automobiles of the pleasure car type shall be so parked; that the plot shall be levelled substantially to the grade of West 43rd street, and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that on the interior lot lines, where wall of adjoining buildings do not occur, there shall be erected a brick wall not less than 8 in. in thickness, and not less than 10 ft. in height; that there shall be constructed along the interior lot lines, continuously at all points, a concrete curbing not less than 6 in. in height and not less than 2½ ft. in width, as a bumper to protect adjoining buildings; that a similar bumper shall be erected along the street building line, inside of an additional curbing, not less than 1 ft. in width and 1 ft. in height, on which shall be erected a substantial wrought iron or steel fence not less than 5 ft. in height; that such fence shall be continuous except for entrance centrally located, and not over 15 ft. in width, with curb cut opposite of similar width; that during the term of this permit, the premises shall be used for no use other than as herein permitted; that no building shall be erected thereon, except that there may be erected near the entrance, a building not over 100 sq. ft. in area and not over one (1) story in height, as office and shelter for the attendant; that this building shall be covered with fire-resisting materials on roof and sides; that proper aisles shall be maintained at all times for easy entrance and exit, to prevent cars being moved into the street when necessary to shift cars to permit entrance or exit; that such aisles shall be arranged, as indicated on revised plan, marked "received January 8, 1940"; that the total number of automobiles parked at any time shall not exceed 35; that no signs shall be erected on the premises, except that there may be a sign attached to the fence at the entrance not over 15 sq. ft. in area, and not extending beyond the building line, advertising only the transient parking use; that no lights for general illumination shall be installed, except that a light may be installed on the exterior of the office, not exceeding 100 watt capacity; that such portable fire-fighting appliances shall be in-

stalled as the fire commissioner shall direct; that all permits shall be obtained and all work completed, within six (6) months from the date of this resolution.

1006-39-BZ.

APPLICANT—George G. Miller, for Rolleen Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the lowest level of a rear yard above the curb level.

PREMISES AFFECTED—61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot, No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Miller.

For Opposition: Alfred Newman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1006-39-BZ)

WHEREAS, George G. Miller, for Rolleen Realty Corporation, owner, filed July 26, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the lowest level of a rear yard above the curb level; premises: 61-70 Overlook terrace, southwest corner West 187th street (Block No. 2180, Lot, No. 46), Borough of Manhattan, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals; at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Washington avenue is in a residence and business use district; Overlook terrace is in a residence use district; West 187th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 25, 1939, reads:

"Disapproved as follows:

23. In a residence district the rear yard may not begin at a level above the curb level. Art. 4, sec. 17b Zoning Resolution."

and

WHEREAS, the proposed building is of non-fire-proof construction, six (6) stories in height, 86 ft. frontage by 70 ft. in depth. The elevation of the level of the rear yard of the proposed dwelling, is 15 feet above the curb elevation at the center line of the facade of the building; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the construction of the rear yard at the elevation shown, approximately 15 ft. above the grade of Overlook terrace, *on condition* that there shall be no apartments in the rear of the 1st floor opening upon such yard, and that the grade of the 2nd floor at the rear shall be not less than 1 ft. above the grade of the yard at its highest point; that in all other respects, the requirements of the zoning law and all other laws,

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rules and regulations applicable thereto, shall be complied with, and that this owner shall reconstruct or support, as may be required by the borough superintendent, the retaining wall on the adjoining lot No. 44, to the west; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1116-39-BZ.

APPLICANT — Frederick E. Goldsmith, for Avenue N Operating Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1811-1819 McDonald avenue, east side, 60 ft. south of Avenue P (Block No. 6644, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. L. Heller, Frederic E. Goldsmith and Nicholas H. Weiss.

For Opposition: J. Sherman Brumberg, A. Thilke, R. Montalbano, J. V. Romo, D. Saltzman, Joseph Werner and Harold Lato.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT.

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1116-39-BZ)

WHEREAS, Frederick E. Goldsmith, for Avenue N Operating Corporation, owner, filed September 11, 1939, an application, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles, affecting premises: 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue P, (Block No. 6633, Lot No. 12), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show, that McDonald avenue is in a business use district; that East 2nd street and Avenue P are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2393-39, dated September 8, 1939, reads:

"1. Proposed 1-story structure for use as a public garage for more than 5 cars is contrary to Art. II, Sec. 4a, subd. 15 of Zoning Resolutions and is hereby denied."

and

WHEREAS, the proposed building is of non-fireproof construction, one story in height, with a frontage of 74.4 ft., and a depth of 103 ft. It is proposed to occupy the proposed building as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1132-39-BZ.

APPLICANT — Robert J. Farrington, for J. Clarence Davies, Inc., and Consolidated Edison Company of New York, Inc., owners (F. W. Woolworth Co., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building.

PREMISES AFFECTED—31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30, and part of Lot No. 16), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Farrington, J. Clarence Davies, Jr., J. J. Stein and A. F. Winter.

For Opposition: George Y. Baxter.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1132-39-BZ)

WHEREAS, Robert J. Farrington, for J. Clarence Davies, Inc., and Consolidated Edison Co. of New York, Inc. (F. W. Woolworth Co. lessee), filed September 14, 1939, an application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district the erection and maintenance of an extension to an existing business building; premises: 32-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot Nos. 16 and 30), Borough of the Bronx, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Tremont avenue is in a business use district; Lane avenue and Frisby avenue are in business and residence use districts; Benson street is in a residence use district; and

WHEREAS, the decision of the borough superintendent dated September 7, 1939 and as amended December 13, 1939, reads:

"1. The proposed extension to business building extending into a residence district is contrary to Section 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 94.17 ft. on East Tremont avenue and 35 ft. on Frisby avenue; an irregular shaped area at the central portion of the plot, and also, a 5 ft. wide strip along the west lot line of the Frisby avenue portion of the plot, which is in a residence use district; the remainder is in a business use district; Upon the East Tremont avenue frontage of the plot, there is located a one-story structure, 47 ft. by approximately 100 ft. in area, occupied as a store. It is proposed to erect upon the central portion of the plot, a one-story and pent-house, non-fireproof extension, to the existing store, as shown upon the filed plans; it is proposed also to maintain a 12 ft. wire driveway leading from the proposed extension to Frisby avenue, along the west portion of the Frisby avenue portion of the premises. The westerly portion of this proposed driveway is located in a residence use district, and the remainder is in a business use district; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

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WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 7c and section 21, of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship to permit the extension of the existing gas-line station;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7c and 21 of the building zone resolution, to permit the proposed extension into the residential area, substantially as indicated on plans filed with this application, *on condition*, that there shall be a brick wall constructed on the easterly lot line, continuing the rear line of the extension through to Frisby avenue; that such wall shall not be less than 7 ft. in height and shall be properly coped; that the proposed second story of the extension shall be moved easterly, including the access stairway thereto, so that no portion of the proposed extension shall exceed one story in height along the rear lot line for a distance of 10 ft.; that a substantial fence and gate shall be maintained at the street building line of Frisby avenue; that in all other respects, all laws, rules and regulations, shall be complied with, including the construction of a sprinkler system in the cellar; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

1152-39-BZ.

APPLICANT—Philip Birnbaum, for Crescent Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—77-15 and 77-35 113th street, north side of 77th avenue and south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Philip Birnbaum.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1152-39-BZ)

WHEREAS, Philip Birnbaum for Crescent Holding Corp., owner, filed September 20, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of two multiple dwellings having garages for more than three (3) motor vehicles; premises: 77-15 to 77-35 113th street, north side, 77th avenue, south side, 78th avenue from 113th street to 113th place (Grand Central parkway extension), Forest Hills, Borough of Queens, Entire Block); and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Central parkway (113th place) and 113th street are in residence use districts; Queens boulevard is in a business use district, and 77th avenue and 78th avenue are in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings in acting on N.B. 5077-39 dated September 18, 1939, reads:

"Garage in a multiple dwelling at the above location must be referred to and approved by the Board of Standards and Appeals before further consideration can be given by this department.

Garage for more than 3 cars in a residence E district is contrary to Article 2 Section 3—sub division 8 of the Building Zone Resolution."

and

WHEREAS, the decision of the Borough Superintendent in acting on N.B. 5383-39 dated September 18, 1939, reads:

"Garage in a multiple dwelling at the above location must be referred to and be approved by the Board of Standards and Appeals before further consideration can be given by this department. Sec. 60, M. D. L.

Garage for more than 3 cars in a 'Residence E' district, is contrary to Article 2, Section 3, sub-division 8 of the Building Code."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 470 ft. on 113th street, 200 ft. on 77th avenue and 200 ft. on 78th avenue; it is proposed to erect upon the site two (2) six-story multiple dwellings, each containing 84 apartments; each building having a frontage of 159 ft. 8 in. on 113th place; 198 ft. 8 in. on 113th street and a depth of 133 ft. It is proposed to occupy the easterly section of the basement story of both units, as a garage for more than three (3) motor vehicles. This garage space is for the use of tenants only, of the two respective multiple dwellings; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant has substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, in view of the permissive provisions of the Multiple Dwelling Law;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 thereof, so as to permit the proposed garages in the multiple dwellings, *on condition* that the requirements of Section 60 of the Multiple Dwelling Law are complied with in all respects, and that in all other respects the requirements of all laws, rules and regulations shall be complied with; that the mechanical ventilating system installed within the garages shall be so arranged, as to provide not less than four changes of air per hour, and shall in no way be connected with the ventilating system of any other portion of the building, as required by Section 60 of the Multiple Dwelling Law; that the exhaust from such mechanical ventilating system shall be through the rear wall of the building toward Grand Central parkway; that the garage shall be separated from all other parts of the building and enterable only from the exterior; that the entrance door shall be an approved fire-proof door; that the sprinkler system shall be a one-source system complying in all respects with the sprinkler requirements of the Administrative Building Code; that all permits required shall be obtained, and all work involved completed, within six months from the date of this resolution.

94-38-BZ.

APPLICANT—Arthur W. Renander, for Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee).

SUBJECT—Application reopened and restored to calendar May 9, 1939 (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business

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use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander and William Eckert.

For Opposition: G. F. Partuch, J. Garlick and N. Klinger.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT.

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(94-38-BZ)

WHEREAS, Arthur W. Renander for Jeho Co., Inc., owner, filed February 16, 1938 and reopened May 9, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 89-02 to 89-12 166th street, southwest corner of 89th avenue, (Block No. 866, Lot No. 72), Jamaica, Borough of Queens, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 165th street, 166th street, and 89th avenue are in business and residence use districts; and

WHEREAS, the decision of the Borough Superintendent dated October 2, 1939, reads:

"Your application for certificate of occupancy for parking and storage of more than five (5) motor vehicles at 89th avenue, southwest corner 166th street, is hereby denied as same is contrary to Article 2, Section 4, sub-division 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 135 ft. on 89th avenue and 148 ft. on 166th street. It is proposed to use the plot, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under Section 7, sub-division h, for the use of the plot for parking and storage of more than five (5) motor vehicles;

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

455-39-BZ.

APPLICANT—Arthur W. Renander, for Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander and William A. Eckert.

For Opposition: D. Klinger.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: Commissioner Savage and Assistant Chief Walsh 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(455-39-BZ)

WHEREAS, Arthur W. Renander, (Jamaica Parking and Realty Corp., lessee), for Caroline B. Gale, owner, filed April 11, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 166th street and 90th avenue are in business use districts; that 168th street and 89th avenue are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent, on Parking Applic. No. 177-39, dated April 10, 1939, reads:

"Parking or storage of more than five (5) motor vehicles in a business district contrary to Art. II, Sec. 4. Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 105 ft. and a depth of 115 ft. It is proposed to use the plot, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board, deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles;

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 12:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 9, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

APPEALS FROM ADMINISTRATIVE DECISIONS 1401-39-A.

APPLICANT—Teresa Mormando, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—180 South street, west side, 140 ft. south of Roosevelt avenue (Block No. 110, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Rieter.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to January 16th, 1940, at 2 P.M. fire department representative to produce record.

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1454-39-A.

APPLICANT—L. W. Borneman for Benziger Brothers, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED — 1-11 Rockwell place and 84-94 DeKalb avenue, southeast corner (Block No. 2095, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. W. Bornemann.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

7-40-A.

APPLICANT—Anthony J. De Pace, for Sisters of St. Ursula of the Blessed Virgin, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—414-415 Riverside drive, east side, 52 ft. 7/8 in. south of West 114th street (Block No. 1895, Lot Nos. 75-78-79), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin Hoffman and Anthony J. De Pace.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW:

Affirmative: Chairman, Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

1177-39-A.

APPLICANT—Joshua Brown, for 60-19 Roosevelt Avenue Corporation, owner (Paprin's Restaurant and others, lessee).

SUBJECT—Application reopened and restored to calendar November 14, 1939, re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16) Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joshua Brown.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman, Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(1177-39-A)

WHEREAS, Mark J. Joseph for 60-19 Roosevelt Corp., (Paprin's Restaurant, lessee), filed September 26, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street, (Block No. 1229, Lot No. 16), Woodside, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Miscellaneous application 4168-39 dated November 2, 1939, reads.

"3. The character of the building changes to a public building and must comply as to height and area with sec. 4.2.1 N.B. Code.

The accomodation exceeds 300 persons; the building shall also comply with Sec. 12.1.1. and 12.2 N.B. Code."

and

WHEREAS, the building is 2 stories (29 ft.) in height, 224 ft. by 67 ft. 8 7/8 in. irregular in area, of Class 3 construction, located in a business use "B" area district, erected in 1926, occupied: cellar, storage; first floor, restaurant and stores, 150 persons; 2nd floor, office, restaurant and dance hall, 150 persons; it is proposed to occupy the building, cellar: storage; 1st floor, restaurant and cabaret and stores, 150 persons; 2nd floor, office, restaurant and cabaret, 150 persons; and

WHEREAS, applicant contends that the building was erected in 1926 for use as stores, office, restaurant and dance hall, and that this use has remained the same since; that while the building is 25 ft. in height, this additional 5 ft. is required to insure better ventilation for the 2nd floor; that the building is only 15171.52 sq. ft. in area, a portion of which is occupied by offices, lounge, coat rooms and rest rooms; that in lieu of compliance with the requirements, it is proposed to form a new rear exit on the first floor, and to provide three additional stairways, one of which would be fire-proof and lead directly to the street from the second floor public occupancy, and two outside iron stairways leading from the dance floor on the second story directly to the street.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 4168-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that additional exterior fire escape exits from the 2nd story shall be provided, as proposed on revised plans now on file with the borough superintendent of buildings; that throughout the cellar there shall be installed a sprinkler system complying with the requirements of the building code therefor, except that the water supply from such system may be taken from the house water supply line, provided such supply is not less than 2 in.; that the fire department connection on the exterior of the building may be a single connection, located on Roosevelt avenue; that in all other respects the construction and occupancy of the building shall comply with all laws, rules and regulations applicable thereto.

1297-39-A.

APPLICANT—Israel H. Perskin, for Mabel C. Wielandt, owner (June Lee Day, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 176 East 19th street, west side, 150 ft. north of Beverly road (Block No. 5122, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Israel H. Perskin.

For Administration: Benjamin Saltzman, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(1297-39-A)

WHEREAS, Israel H. Perskin, for Mabel C. Wielandt, owner, filed on October 19, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 176 East 19th street, west side, 150 ft. north of Bev-

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erly road, (Block No. 5122, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 25, 1939, re Alt. Applic. No. 4257-39, reads:

"Proposed change of occupancy of part of the first floor of present frame building from dwelling use to public use, is contrary to 2.1.3.5 and 4.2.1 of Code."

and

WHEREAS, the building is 2½ stories (24 ft.) in height, 25 ft. by 48 ft. in area, of Class 4 construction, located in a residence use, "C" area district, occupied: Cellar, ordinary use; 1st floor, school, 15 children; 2nd and attic stories, dwelling; and

WHEREAS, Violation No. 4880-38 was issued September 21, 1938, for occupying the premises as a kindergarten without securing a permit for the change of occupancy; and

WHEREAS, the applicant contends that the building has been occupied for seven years principally as a dwelling for the lessee, who conducts a school and outdoor playground for children of pre-kindergarten age; that during inclement weather these children are brought indoors on the 1st story.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 4257-39, be and it hereby is modified, and that the appeal be and it hereby is granted, so as to permit temporarily the change of occupancy of part of the 1st floor, as proposed, for kindergarten for children of the pre-school age, for use only during inclement weather, *on condition* that this occupancy shall not be extended above the 1st floor; that the existing means of exit shall be maintained and that the cellar ceiling for the space as determined by the borough superintendent of buildings shall be fire-retarded over the heater and hot water heater; that this modification shall continue only so long as the premises are occupied as herein permitted.

1430-39-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Benjamin Saltzman, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1430-39-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed November 21, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on amendment No. 6198-38 to Permit No. 10362137, dated November 9th, 1939, reads:

"1. As occupancy is being changed to one in which Art. 7 'Means of Egress' of the Building Code becomes operative, the exits are inadequate in the following respects:

(a) Stairways to the 3'0" wide, sec. 6.4.1.2 (b) 1.

(b) Doors to be 3'0" wide, sec. 6.2.1. (a).

(c) Passageways to be 3'0" wide, sec. 6.3.2.

(d) Stairs to be constructed of iron, sec. 6.4.1.7.1.

(e) Stairway to be enclosed in approved 2-hour fire-resistive partitions and doors in enclosure to be ¾ hour fireproof self-closing, sec. 6.4.1.8.1.

(f) Stairway to extend to roof, sec. 6.4.1.11.

2. Cellar ceiling to be fire retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the building is 4 stories and basement, 49 ft. in height, 25 ft. by 76 ft. in area, of non-fireproof construction, located in a residence use "C" area district, erected about 1880, and occupied since 1927 for sleeping quarters for male hospital employees—6 persons on the basement story, 3 persons on the 1st story, and 6 on each of the 2nd, 3rd and 4th stories; and

WHEREAS, the applicant contends that the building was altered last year in accordance with alteration permit issued by the borough superintendent; that only internes and employees of the hospital are housed in the building and no rental is charged; that this application is made for the cancellation of all of the objections of the borough superintendent, and for the issuance of a certificate of occupancy; that as to Objection No. 1, the occupancy is not now being changed; that the width of the main stair is 3 ft.; that the doors from the rooms in the lower stories are 2 ft. 10 in. wide, that upstairs they are over 3 ft. wide; that the stairway is constructed of iron, from the top floor to the roof; that the stairway is non-enclosed, except at the basement story; that the existing exits were approved by the department at the time the alteration permit was issued.

Resolved, that the decision of the borough superintendent, on amendment 6918 to permit No. 10362-37, objections 1 and 2, be and they hereby are *modified*, and that **the appeal be and hereby is, granted on condition** that the cellar ceiling shall be fire-retarded throughout, to the satisfaction of the borough superintendent of buildings; that the exterior entrance from the cellar to the rear yard shall be repaired and arranged, so as to be openable at all times; that a new stairway shall be constructed from the cellar to the basement; that this stairway shall be enclosed in fire-retarded partitions, with fireproof, self closing door; that a portable fire extinguisher shall be maintained in the basement as required by the fire commissioner; that the main stairhall from the 1st floor to the top story, shall be protected by a sprinkler system, as required under the Multiple Dwelling Law, for a converted dwelling; that all doorways opening upon the stairhall shall be made self-closing; that the rear fire-escape shall be maintained as now existing; that the stairway from the attic to the roof shall be maintained as now existing; that the communicating doorways between the front and rear rooms shall be maintained and kept openable during all times that the rooms are occupied; and granted only so long as the occupancy of the building is maintained as at present, as an accessory building to Long Island College Hospital, as sleeping quarters for internes and employees.

1445-39-A.

APPLICANT—Arthur F. Crowley for George Vendegna, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-46 11th street, northwest corner of 48th avenue, (Block No. 45, Lot No. 22), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Arthur F. Crowley.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commisison-
ers Savage and Blum and Assistant Chief-
Walsh 4
Negative 0

THE RESOLUTION—

(1445-39-A)

WHEREAS, Arthur F. Crowley, for George Vendegna, lessee, filed November 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 47-46 11th street, northwest corner of 48th avenue (Block No. 45, Lot No. 22), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 7286-39, dated November 22, 1939, reads:

"The conversion of a frame store and factory building to a cabaret and dance hall is contrary to section 4.2.1 of the building code."

WHEREAS, the building is two stories, (27 ft.) in height, 25 ft. by 100 ft. in area, of class 4 construction, located in an unrestricted use A area district, and occupied since 1935, as follows: 1st floor, club rooms, dance hall and cabaret, 20 persons; 2nd floor, ladies' rest room, 20 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the cabaret and dance hall are on the grade level, with five exits directly to the street at sidewalk level.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 7286-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the 1st story, only, of the existing building to be occupied as a cabaret and dance hall, *on condition*, that the building shall not be increased in height or area, and the 2nd floor shall be used for no other purpose other than as ladies' rest room and toilet; that the cellar ceiling shall be fire-retarded to the satisfaction of the borough superintendent of buildings; that this modification shall continue only so long as the conditions as set forth herein are complied with.

1461-39-A.

APPLICANT—Elizabeth A. Lindorff for Margaretha Kirpal, owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Marie P. Simmons.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1461-39-A)

WHEREAS, Elizabeth A. Lindorff, for Margaretha Kirpal, owner, filed November 30, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 143-49 Barclay avenue, north side, 100 ft. west of Parsons boulevard, (Block No. 885, Lot No. 37), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated November 2, 1939 on Misc. Applic. 7300-39, reads:

"Frame building approved for residence may not be converted into a private school, sec. 4.2.1 of the Building Code."

and

WHEREAS, the building is 2½ stories, (30 ft.) in height, 20 ft. by 40 ft. in area, of class 4 construction, located in a residence use C area district, occupied since 1920 as follows: 1st floor, school, 12 persons; 2nd floor, living quarters, 3 persons; attic, bedrooms, 4 persons; and

WHEREAS, the applicant contends that the building has been occupied as at present since 1920, and that the occupancy is small; that it would be a hardship to be compelled to give up this use at the present time.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 7300-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the 1st floor of this building to be occupied by a private school, as proposed, *on condition* that such use shall not extend beyond the 1st floor, and that the number of pupils shall at no time exceed 20; that the building shall not be increased in height or area, and that the open space around the building shall not be reduced; that the exits from the 1st floor, as existing, shall be continued; that such portable fire-fighting appliances shall be installed in the 1st floor and cellar as the fire commissioner shall direct.

1488-39-A.

APPLICANT—George P. Ames, for Lawrence Village Homes, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20, and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens, (under section 35, General City Law, re Bed of Mapped Street).

APPEARANCES—

For Applicant: George P. Ames, Harry Diesloss and George Abbott.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative. Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1488-39-A)

WHEREAS, George P. Ames, for Lawrence Village Homes, Inc., owner, filed December 8, 1939, an appeal from decisions of the borough superintendent of buildings, under section 35, General City Law, (re Bed of Mapped Street), affecting premises 213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft., and 302.27 ft. east of Bell boulevard, (Block No. 6118, part of Lot No. 1, Block No. 6116, part of Lot No. 20), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on New Building Applications 9559-9660 and 9661-39, dated November 28, 1939, read:

"1. The erection of a building within the bed of a mapped street is contrary to Sec. 35, Art. 3 of General City Law.

Not further considered."

and

WHEREAS, the premises consist of three separate lots, 55 ft., 48.5 ft. and 54 ft., respectively, by 103 ft. in area, upon which it is proposed to erect three two-story one-family dwellings, with attached garages of Class 4 construction; all of these dwellings will be erected in the bed of 214th street, and the lots upon which the other two dwellings will be erected, encroach upon the bed of 214th street, as shown on plans filed January 2, 1940; and

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WHEREAS, a report has been received from the Engineer-in-charge of the Topographical Bureau, of the Borough of Queens; and

WHEREAS, the applicant contends that although a mapped street exists, it will in all probability not be opened for many years; that there are ample streets at present to serve the area; that in view of the land value and size of the plot that must be furnished with each dwelling sold, it would be economically unfeasible to erect same, if a change of the use of the property in the bed of a mapped street is not given to the applicant; that the proposed improvement would not increase the cost of opening the street, as the building which it is proposed to erect in the bed of the mapped street, would be of low cost.

Resolved, that the decision of the borough superintendent, on N.B. Applic. Nos. 9559, 9660 and 9661, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, under the powers given the Board under section 35 of the General City Law, to permit the construction of a single family dwelling within the bed of 214th street on the south side of 33rd road, *on condition* that the depth of the lot from 33rd road shall not exceed 105 ft. and that the house to be located within the bed of 214th street and the proposed houses on adjoining lots, which lots also are in part within the bed of 214th street, shall comply with the requirements of the "F" residential area, as to coverage and as to required side yards at either side lot line, and shall be limited to single family occupancy each.

3-40-A.

APPLICANT—Wilbur Jurden, for Phelps Dodge Refining Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-14 56th drive, south side, 97.98 ft. east of 47th street (Block No. 2554, Lot No. 50), Laurel Hill, Borough of Queens.

APPEARANCES—

For Applicant: David Cohen and O. M. Shubert.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(3-40-A)

WHEREAS, Wilbur Jurden, for Phelps Dodge Refining Company, owner, filed January 3, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises: 47-14 56th drive, south side, 97.98 ft. east of 47th street (Block No. 2554, Lot No. 50), Laurel Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 27, 1939, on N.B. Application No 10199-1939, reads:

"1. The erection of a metal building, Class 5 Construction, exceeding 30 ft. in height is contrary to Section 4.2.1 of the Building Code."

and

WHEREAS, the building will be one story (40 ft. 5 in. average) in height, 67 ft. 11 in. by approximately 170 ft. in area, of all metal construction, with steel columns, roof trusses, steel sash and corrugated steel roofing and siding; located in an unrestricted use "A" area district; to be occupied as a tin smelting plant, 10 persons; and

WHEREAS, the applicant contends that the proposed building will be of the standardized type used throughout the Phelps Dodge plants; that the building will be used for refining tin ore to tin; that the clearance of 34 ft. 2 in. proposed to the underside of roof trusses is necessary to allow

for the operation of the traveling crane; that the plant is provided with the following fire-fighting equipment: two 1,000-gallon-per-minute fire pumps, drawing from Newtown Creek, to supply an 8-inch main servicing thirty fire hydrants; adequate 3-inch hose, located at five fire stations, together with hose carts, nozzles, wrenches and signal charts; four 75-pound Co2 extinguishers; forty hand Co2 extinguishers; thirty foamite, soda-acid and pyrene extinguishers, all operated by an organized fire-fighting force; there is also a plant fire alarm system operated by means of a steam whistle; that in addition, there is an A.D.T. fire alarm system, and a New York City fire hydrant located on 43rd street adjacent to main office of the building; that several dozen pails of sand have also been provided.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Application No. 10199-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the building shall not be increased in height or area; that the use shall be as proposed; that the fire protection shall be as set forth and maintained to the satisfaction of the fire commissioner, and *granted* only so long as this building is used as an adjunct to the factory buildings of the Phelps Dodge Refining Company or their successors, located on the same premises; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

203-37-A.

APPLICANT—Abraham Greenberg, for West Harlem Service Company, Inc., for White Bay Realty Corporation, Wilson and Company, Swift and Company and Francis Signanan, et Cie, owners and lessees.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decision of the fire commissioner.

PREMISES AFFECTED—2270, 2290-2292 and 2322 12th avenue, west side, between St. Claire place and West 133rd street, also 2276 12th avenue (Block No. 2004, Lot Nos. 8, 12 to 18, 37, 40, 42, 46, 65, 68, 71, 72, 74 and 102), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Greenberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(203-37-A)

WHEREAS, West Harlem Service Company, Inc., for White Bay Realty Corporation, Swift and Company and Wilson and Company, owners and lessees, filed May 4, 1937, an appeal from a decision of the fire commissioner, affecting premises 2270, 2290-92 and 2322 12th avenue, west side, between St. Claire place and West 133rd street (Block No. 2004, Lot Nos. 8, 12 to 18, 37, 40, 42, 46, 65, 68, 71, 72, 74 and 102), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated April 5, 1937, reads as follows:

"Replying to your letter of March 30, 1937, wherein you request permission to extend the present ammonia piping system at 2292—12th avenue to the Swift & Co. building at the N. W. Cor. of 132nd street and 12th avenue, also to the Wilson & Co. building at the N. W. Cor. of 129th street and 12th avenue, we regret your request cannot be granted for the reason that the interpretation of Sec. 219 (b) confines the direct method

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of refrigeration to a single building and then only under specific limitations.

"However, if you desire to appeal from the above decision, your appeal may be taken to the Board of Standards and Appeals, Room 1002, Municipal Building, New York City."

and

WHEREAS, this appeal was granted by the Board June 2, 1937; resolution amended November 3, 1937, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 2, 1937, as amended by resolution adopted November 3, 1937, so that as amended, it shall read:

"*Resolved*, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the extension of the existing ammonia system across 132nd street to the building proposed to be refrigerated (from the central system at 2290-2292 12th avenue) located on Lot 102 in Block 2004 and known as 2322 12th avenue, now being improved with a meat storage and packing building for Swift and Company to permit Swift and Company to construct in the said proposed building of three stories in height, 10,000 ft. of 2-inch pipe containing ammonia as the refrigerant, with a one-story freezer room directly in the rear of the same, the second floor to contain the bunker with coils and around the bunker refrigerated space, as shown on the plans submitted herewith; the third floor to be used only for dry storage and to contain no refrigeration whatever, and also an extension across 125th street to buildings occupied by Wilson and Company, Lots 12 and 14, in Block 2004, known as 2270 12th avenue, *on condition* that the suction and return line where passing under street shall be enclosed in heavy cast-iron pipe with bolted flanges and in addition that the return line shall be insulated with two inches of cork; that the approval as to the location below the surface of the street shall be obtained from the department of the City of New York having jurisdiction and the utility companies affected; that conditions shall be generally as shown on plans filed with this appeal; that nothing herein contained shall be understood to approve the existing installation or to permit at any time more than 3,000 pounds of ammonia in the entire system; that the refrigerating plant shall be maintained in accordance with the requirements of the fire commissioner and in accordance with the Refrigeration Code, except as herein modified, and that this permit be subject to a proper franchise granted by the City of New York as approved by the Board of Estimate and Apportionment.

"*Resolved*, further, that the refrigerating service herein permitted to the building known as No. 2270 12th avenue, extending to No. 2276 12th avenue, and occupied on the first floor by Wilson and Company, may be extended to the second floor, occupied by Francis Signanau, et Cie, Inc., candy manufacturer, provided the existing refrigerating machines permitted by the fire department under Permit No. 22182, expiring May 12, 1940, are discontinued and that the extension of the refrigerating system is connected with the same coils and blower system as formerly used by the refrigerating units, and that a shut-off valve shall be located in an accessible position, as approved by the fire commissioner."

995-39-A.

APPLICANT—F. Reinitz and Company, lessee, for Etched Products Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—39-01 Queens boulevard, northeast corner of 39th street (Block No. 191, Lot No. 5), Long Island City, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

THE RESOLUTION—

(995-39-A)

WHEREAS, F. Reinitz and Company, lessee, for Etchel Products Corporation, owner, filed July 25, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 39-01 Queens boulevard, northeast corner of 39th street (Block No. 191, Lot No. 5), Long Island City, Borough of Queens; and

WHEREAS, the applicant failed to complete its case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

APPLIANCE SUBMITTED FOR APPROVAL

110-36-SA.

APPLICANT—Mohawk Oil Burner Manufacturing Company, owner.

SUBJECT—Mohawk Oil Burner, Models A and H—Amendment of resolution to include Model B.

APPEARANCES—None.

ACTION OF BOARD—Resolution amended in accordance with report of committee.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

THE RESOLUTION—

(110-36-SA)

WHEREAS, Mohawk Oil Burner Manufacturing Company, owner, filed April 23, 1936, an application with the Board of Standards and Appeals, for approval of the device known as the Mohawk Oil Burner, Models A and H; and

WHEREAS, the device was submitted to the engineer of the Board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the Board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The one tested was Model A. This burner is of the mechanical draft pressure atomizing gun type, and consists of the following assembly: Century 1/6 H.P. Motor; Torrington fan, 3 in. by 5 in.; Webster Fuel Unit, consisting of strainer, pump and regulating valve, and a Ballofett nozzle.

Ignition—electric, Webster transformer.

Controls—Minneapolis-Honeywell Protectorelay, R-117-3 and Minneapolis-Honeywell Pressuretrol Model L-404.

With the oil supply shut off and a cold combustion chamber, the burner was put into operation and the controls operated and shut the burner down in 103 seconds. The burner was then put into normal operation for approximately 45 minutes. During the period of test there were no flare backs and the flame was free and clear of smoke. Examination of the combustion chamber showed no undue carbon deposits.

Model H is the same as Model A, with the exception that the fan is 6 in. x 4 in. and the pump delivers 36 gallons of oil per hour, but this model was not inspected and tested.

As a result of this inspection and test it is recommended that the Mohawk Oil Burner Model A be approved for domestic, industrial and commercial use

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when installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards.

and

WHEREAS, applicant requested approval of Model H, and an inspection and test of this model has been made, and

WHEREAS, the present owner requested approval of Model B, and this model was referred to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on appearances Tests reads:

REPORT OF COMMITTEE ON TESTS

RE: Cal. 110-36-SA.

Amendment of Resolution to include approval of

Mohawk Oil Burner, Model B.

Under date of June 30, 1936, the Board of Standards and Appeals approved the Mohawk Oil Burner Models A and H. The resolution was amended from time to time to include the name of Alpine, Morgan, Superior, House Utility and a further amendment made March 28, 1939, to permit the Roto flame Gun Oil burner to be marketed in Richmond Borough as the Home Utility Oil Burner on condition that no additional Mohawk Oil Burners be marketed under the name Home Utility.

Request has been made for approval of the Mohawk Oil Burner Model B by the present owners, the American Mohawk Corp. Inspection and test of this burner was made at 580 Hudson street, Manhattan. This oil burner is of the pressure atomizing gun type and is identical with the models already approved except in the manner of assembly. The burner consists of a General Electric or Leland Motor 1/6 H.P., a Webster Fuel Unit, consisting of pump, strainer and regulating valve, a Hago nozzle, manufactured by the Harsch Nozzle Company with a capacity of from 1 to 3 gallons per hour. A Sirocco type fan is used for furnishing the combustion air.

Ignition: A Webster Transformer.

Controls: Either Minneapolis-Honeywell or Mercoid controls, consisting of a stack and ignition control and a pressuretrol. This burner is designed to use No. 1, 2 and 3 oils and has been approved by the National Board of Fire Underwriters.

With the oil supply shut off and a cold combustion chamber the burner was put into operation and on two successive tests the control functioned as designed and shut the burner down in 71 and 73 seconds.

The burner was then put into normal operation and during the period of operation there were no flarebacks due to faulty ignition and an examination of the combustion chamber showed that the same was free of carbon deposits. The flame was clean and free of smoke.

As a result of this inspection and test therefore, the committee recommends that the Mohawk Oil Burner, Model B, be approved for domestic, commercial and industrial use with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, on condition that the burner bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 110-36-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report supplemented by a report of the Division of Combustibles of the Fire Dep't recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of February 1, 1938 as amended March 28, 1939, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as Mohawk Oil Burner, Models A, B, and H, for domestic, commercial and industrial installation, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and, with these reports, for use with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, and that there shall be permanently attached to each burner installed a label reading.

Approved by the

BOARD OF STANDARDS AND APPEALS

For use in New York City

Under Cal. No. 110-36-SA.

Resolved further, that this device may also be marketed under the names of Alpine Oil Burner, Models A and H, the Morgan Oil Burner, Models A and H, the Superior Oil Burner, Models A and H, and the Home Utility Oil Burner, Models A and H, provided the requirements herein are complied with.

Resolved further, that in view of the statement by the present owners of the Mohawk Oil Burner, namely the Therna-Mohawk Corporation, that only six of these burners have been sold under the name of Home Utility Oil Burner, all in the Borough of Richmond, and in view of the amendment adopted by the Board under Cal. No. 187-33-SA, March 28, 1939, permitting the Roto flame Gem Oil Burner also to be marketed under the name of Home Utility Oil Burner in the Borough of Richmond, that no additional Mohawk Burners shall be marketed under the name of Home Utility Oil Burner."

MATERIALS SUBMITTED FOR APPROVAL

733-38-SM.

APPLICANT—The Ruberoid Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Ruberoid Built-up Roofings, Asphalt Shingles, Asbestos Shingles and Corrugated Asbestos Roofing.

APPEARANCES—

For Applicant: Harry A. King.

ACTION OF BOARD—Application reopened, Report of Committee amended and resolution reaffirmed.

THE VOTE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(733-38-SM)

WHEREAS, the Ruberoid Company, owner, filed August 23, 1938, an application with the Board of Standards and Appeals for approval of the material known as Ruberoid Built-up Roofing, Asphalt Shingles and Asbestor Shingles; and

WHEREAS, this material was submitted to the Committee on Tests of the Board, for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS

October 11, 1938.

Cal. No. 733-38-SM

Subject: Ruberoid Roofing Materials.

The Ruberoid Company of New York City filed August 23, 1938, with the Board of Standards and Appeals, an application for approval of their roofing materials as listed herein under tests specified in C-26-680 AC (10.12.11.1 BC) and Group 16, Art. 2 AC (10.1.16 BC).

This roofing material is manufactured at their plant in Bound Brook, N. J., St. Louis, Mo., Erie, Pa., Baltimore, Md., Joliet, Ill., Mobile, Ala., and Millis, Mass.

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The following test samples consisted of complete assemblies of roof deck and covering, as is applied in practice, having a area of 12 square feet. Upon these roof decks was placed a fully burning brand for the purpose of investigating the possibility of spread of flame and depth of charring and ignition of the wood decking. Results of these tests and specifications for heavier material or greater coverage are described herein. The quantities of waterproofing material used between plies of felt are 30 lbs. per square, and top surfacing of any smooth surface specification is 25 lbs. per square; if slag or gravel is used, the top pouring is asphalt 50 lbs. per square, and coal tar pitch, 75 lbs. pouring per square.

Tests were performed on typical roof deckings, representative of each group of roofing material; and

WHEREAS, various specifications for roof deck were approved by the Board, November 22, 1938, but test No. 4 was withdrawn at that time; and

WHEREAS, the Committee on Tests have amended their report, and recommended the inclusion of the following specifications for approval:

Spec. No. 58 1. Smooth Surfaced Asphalt Plastic Specification with 34 lb. Ruberoid Black and White Cap Sheet to consist of the following:

One layer of 5 No. Red Rosin Sheathing; two layers 15 lb. Asphalt Felt; two coatings Ruberoid Plastic Cement (50 lbs.); and one layer of Ruberoid Black and White Cap Sheet Roofing or *Genuine Ruberoid, Starex or Wigwam*. Weight from 54 lb. to 72 lb. per 108 sq. ft.

Spec. No. 59 2. Smooth Surfaced Asphalt Plastic Specification with 34 lb. Ruberoid Black and White Cap Sheet to consist of the following:

One layer of 5 lb. Red Rosin Sheathing; two layers of 24 lb. Asphalt Felt; two coatings Ruberoid Plastic Cement (50 lbs.); and one layer of Ruberoid Black and White Cap Sheet Roofing or *Genuine Ruberoid, Starex or Wigwam*.

Spec. No. 60 3. Smooth Surfaced Asphalt Plastic Specification with 34 lb. Ruberoid Black and White Cap Sheet to consist of the following:

One layer of 5 lb. Red Rosin Sheathing; two layers 30 lb. Asphalt felt; two coatings Ruberoid Plastic Cement (50 lb.); and one layer of Ruberoid Black and White Cap Sheet Roofing or *Genuine Ruberoid, Starex or Wigwam*.

Spec. No. 61 4. Smooth Surfaced Asphalt Plastic Specification with 34 lb. Ruberoid Black and White Cap Sheet to consist of the following:

One layer of 5 lb. Red Rosin Sheathing; three layers of 15 lb. Asphalt Felt; three coatings Ruberoid Plastic Cement (75 lbs.); and one layer of Ruberoid Black and White Cap Sheet Roofing or *Genuine Ruberoid, Starex or Wigwam*.

Resolved, that the Board of Standards and Appeals does hereby *amend* the report of the Committee on Tests, and *approve* the material known as, Ruberoid Built-up Roofing, Asphalt Shingles and Asbestos Shingles, and Smooth Asphalt Plastic Specifications, when manufactured, installed and labelled in accordance with the above and previous reports, as approved by the Board of Standards and Appeals November 22, 1938.

764-39-SM

APPLICANT—Croker Fire Prevention Corporation, owner.
SUBJECT—"Croker" Flush Type Siamese—Approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Approved in accordance with report of committee.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(764-39-SM)

WHEREAS, Croker Fire Prevention Corp., owner, filed June 9, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the "Croker" Flush Type Siamese 4" and 6"; and

WHEREAS, this material was submitted to the committee on tests of the Board, for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

RE: Cal. No. 764-39-SM.

APPROVAL of Croker "Flush Type Siamese"

The Croker Fire Prevention Corp., owner, filed June 9, 1939, an application with the Board of Standards and Appeals for approval of the Croker Flush Type Siamese 4" and 6", under the provisions of C26-1340 (15.6) and C26-1383 (16.1.3) Administrative Building Code, and the Sprinkler Rules of the Board of Standards and Appeals.

This siamese is designed to fit into the wall of a building so that the swivels are the only portion projecting beyond the face of the building. The body of the siamese is entirely of brass of a content; pure copper, 72%, tin; 1.5%, lead; 2.5%, and zinc 24%. The siamese functions in a manner similar to other siamese connections approved by the Board with identical clapper arrangement.

The siamese was tested at the repair shops of the Fire Department, Long Island City, on July 5, 1939, and retested before a testing committee consisting of Chairman Murdock, Commissioners Savage and Blum, Assistant Chief Walsh and Chief Engineer Huber, of the Board, and Deputy Chief Albert B. Carlson, Lieutenant Bauer, and Peter Maher of the Fire Department. Mr. Sidney Strauss represented the applicant.

The siamese was subjected to hydraulic pressure of 1200 lbs. for 30 minutes at first test.

At the 2nd test two 50 ft. lengths of 3 inch high pressure hose were secured to siamese and tested up to 400 lbs. per sq. inch, for 30 minutes without effect on swivels.

The swivels are provided with the proper thread to fit Fire Department hose connection, and the clappers of the siamese swing clear of opening, and are machined to a true face. The siamese withstood a hydrostatic pressure of 300 lbs. from the standpipe side without leakage.

The wall plate is of ample size to cover wall opening and of quality brass. The word "standpipe" is cast on top of plate as requested in specifications; also the words "Fire Department Connection." There is ample space for the calendar number and name of manufacturer. Testing certificate properly signed has been filed.

On the basis of these tests the committee recommends that the Croker Flush Type 4 inch and 6 inch Siamese be approved for use in New York City for Standpipe and Sprinkler Systems, on condition that Siamese as submitted for test be manufactured of material and design as specified herein, and subjected to examination and test from time to time as may be required by this board; that the calendar number be cast in face of wall plate, in letters at least 1/2 inch in height and 3/8 inch wide; that all pipe nipples between the siamese body and swivel be of extra heavy brass, except that the cap may be of brass or aluminum.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

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Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Croker Flush Type Siamese 4" and 6" on condition that the material be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

798-39-SM

APPLICANT—Newark Plaster Co., for Kelley Plasterboard Co., Inc., owner.

SUBJECT—Kelley-Cork Gypsum Lath, approval of.

APPEARANCES—

For Applicant: M. G. Quayle.

ACTION OF BOARD—Material approved in accordance with report of committee.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(798-39-SM)

WHEREAS, Newark Plaster Co., for Kelley Plasterboard Co., Inc., owner, filed June 15, 1939 an application with the Board of Standards and Appeals for approval of the material known as Kelley-Cork Gypsum Lath; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 798-39-SM

Subject: Kelley Cork-Gypsum Lath (Plasterboard)

Newark Plaster Company of Delawanna, New Jersey, filed an application on June 15, 1939 with the Board of Standards and Appeals for the approval of their material known as Kelley Cork-Gypsum Lath, as here and after described, for approval as a plaster base under the provisions of the Administrative Building Code set forth herein.

Kelley Cork-Gypsum Lath is a plaster base consisting of sheets or slabs of calcined gypsum with cork filler screened through 8-30 mesh, reinforced on both surfaces with a covering of chip board paper designed to receive the plaster. Calcined gypsum is mixed with water and cork and discharged on a paper liner on the board machine, after which it is uniformly distributed by an oscillating arm, after which the top layer of paper is applied. The plaster base then passes through a roll which is so set as to manufacture the board in the required thickness. The material is then permitted to set, after which it is cut into desired lengths and passed into a dryer where all extraneous water is removed. The thickness of the paper on both sides is twenty-three thousandths of an inch, with the rest of the makeup being a mixture of calcined gypsum and cork filler.

Kelley Cork-Gypsum Lath is available in the following sizes:

Thickness	Width	Length
$\frac{3}{8}$ " & $\frac{1}{2}$ "	16"	32" & 36" & 48"
$\frac{1}{4}$ " & $\frac{3}{8}$ " & $\frac{1}{2}$ "	24"	32" & 48"
$\frac{1}{4}$ " & $\frac{3}{8}$ " & $\frac{1}{2}$ "	32"	36" & 48"

Note: The $\frac{3}{8}$ " and $\frac{1}{2}$ " plaster base 16" wide is available with aluminum foil backing.

Samples of these materials were selected by a representative of the Board and tests were performed at Columbia University, Report No. 2847, with results as follows:

Maximum Load, lbs.

	Knife Edges Across fiber of surfacing Federal Spec. Test Requirements Result		Knife Edges Parallel to fiber of surfacing Federal Spec. Test Requirements Results	
Kelley Cork-Gypsum	60	70	27	28
Plain Lath				
$\frac{3}{8}$ " x 16" x 48"		75		30
		80		28
Average	60	75	27	28.6

	Maximum Load, lbs. Knife Edges Across fiber of surfacing Federal Spec. Test Requirements Result		Knife Edges Parallel to fiber of surfacing Federal Spec. Test Requirements Result	
Kelley Cork-Gypsum				
Plasterboard	40	53	16	18
$\frac{1}{4}$ " x 32" x 36"		53		17
Average	40	53	16	17.5
Kelley Cork-Gypsum	60	82	27	32
$\frac{3}{8}$ " Plasterboard				
$\frac{3}{8}$ " x 32" x 36"		90		31
				28
Average	60	86	27	30.3
Kelley Cork-Gypsum		160		47
Plasterboard				
$\frac{1}{2}$ " x 16" & 32" x	100	167	40	52
36" & 48"		177		47
Average	100	168	40	49

Tests were also performed for bond at Columbia University on samples selected and submitted by the Board, Columbia tests Nos. 68010-14, wherein ten sections of Kelley Cork-Gypsum lath were cut in sizes 10" x 10" over which a $\frac{3}{8}$ " coat of gypsum plaster was applied. Two such surfaces were pressed firmly together forming the test specimen in which the total thickness of plaster was $\frac{3}{4}$ ". They were then tested in tension wherein the average of five specimens tested was 1784 lbs. per square foot, indicating satisfactory bond. Briquette tests of Gypsum Plaster were also performed wherein the tensile strength of an average of five specimens was 255 lbs. per square inch, indicating sound value for this test.

The method of applying Kelley Cork-Gypsum Plaster Base shall be in accordance with the requirements of C 26-462.0 (8.4.10.6) Administrative Building Code and supplemented by manufacturer's instructions as given in their bulletin A1A file No. 20-B-3.

On the basis of foregoing data the Committee recommends the approval of Plaster Base marketed under the names Kelley Cork-Gypsum Lath and Plasterboard, as manufactured by the applicant at the plant located at Delawanna, New Jersey, as follows:

Kelley Cork-Gypsum Lath and Plasterboard, $\frac{1}{2}$ " thickness.

Approval of this Plaster Base in thickness of not less than $\frac{1}{2}$ " for use as a plasterboard under C 26-462.0 (8.4.10.6) when installed in accordance with the requirements thereof and under C 26-363.0 (10.4.3.1) item 9 and 11 for use in partitions required to have one hour fire resistive rating when installed in accordance with requirements of these sections. Approval is also recommended under C 26-669.0 Sub. b (10.11) for use on fire resistive ceilings when applied as prescribed therein and for firestopping of stairs under C 26-686.0 (10.13.4) when used as prescribed therein. The use of this material may be permitted as a substitute for combustible lath under C 26-458.0 (8.4.10.2). Approval is also recommended for use of this material in thickness of $\frac{1}{2}$ " for fire retarding under the rules and regulations of the then Tenement House Department, now the Division of Housing of the Department of Housing and Buildings.

Kelley Cork-Gypsum Lath and Plasterboard, $\frac{3}{8}$ " thickness.

Approval of this plaster base in thickness of not less than $\frac{3}{8}$ " for use as a plasterboard under C 26-462.0 (8.4.10.6) when installed in accordance with the requirements thereof and under C 26-363.0 (10.4.3.1), 11 paragraph b, when plastered with $\frac{1}{2}$ " of unsanded Gypsum plaster as provided therein for a partition having fire resistant rating of one hour. The use of this material may be permitted as a

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substitute for combustible lath under C 26-458.0 (8.4.10.2).
Kelley Cork-Gypsum Plasterboard, 1/4" thickness.

The Committee recommends no action be taken on this material at this time as it will be subjected to further investigation.

The Committee recommends that this material whether in sheets or bundles when delivered for use in New York City shall be stencilled, labelled or marked reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 798-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Kelley Cork-Gypsum Lath on condition that the material be manufactured, used and labelled stamped or tagged in accordance with above report.

814-39-SM.

APPLICANT—Newark Plaster Company, owner.

SUBJECT—Newark Plaster Company Gypsum Plaster (various trade names), approval of.

APPEARANCES—

For Applicant: M. G. Quayle.

ACTION OF BOARD—Material approved in accordance with report of committee.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(814-39-SM)

WHEREAS, Newark Plaster Company, owner, filed June 19, 1939 an application with the Board of Standards and Appeals for approval of the material, known as Newark Plaster Co. Gypsum Plaster, Various Trade Names; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 814-39-SM

Applicant: Newark Plaster Company, Owner

Subject: Approval of Old Newark Gypsum Plasters, also known as:

Old Newark Neat Plaster
Old Newark Sanded Plaster
Old Newark Gauging Plaster
Old Newark Moulding Plaster
Old Newark Acoustical Plaster
Old Newark Patching Plaster
Old Newark Bond Plaster
Old Newark Wood Fibered (Sanded)
Monument Interior Finish

The Newark Plaster Company of Newark, New Jersey, filed an application on June 19, 1939 with the Board of Standards and Appeals, for the approval of their Gypsum Plaster, under the various trade names specified above under the provisions of:

C26-312.0 (7.1.1.7.4)
C26-464.0 (8.4.10.8)
C26-466.0 (8.4.10.10)
C26-572.0 (10.1.2)
C26-577.0 (10.1.4.2)

C26-632.0 (10.4.1.2.)

C26-636.0 (10.4.3.1)

C26-667.0 (10.4.3.2)

C26-669.0 (10.11)

This material, Gypsum calcium sulphate, $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$, is a non-metallic mineral mined or quarried. It is reduced in size by passing through two stages of crushing.

The conversion of gypsum to plaster is through calcination, that is, a process of dehydrating or removing a large part of the chemically combined water. Two types of calcination apparatus and processes are in general use and are commonly known as the kettle or batch process and the rotary kiln or continuous process. The calcination process removes approximately 1 1/2 parts of water leaving $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$ which is the semihydrate known as calcined gypsum. After the gypsum has been calcined, it is placed in plaster storage bins and retained until such time as the ingredients and accelerators or retarders are added to make up the various types of plaster.

Hardwall plaster may be grouped into four classes: (1) Neat gypsum plaster which contains calcined gypsum and retarder, with or without fiber; (2) Wood-fibered plaster, which contains calcined gypsum, retarder, and wood fiber; (3) Prepared plaster which contains calcined gypsum, retarder, sand, and fiber; and (4) Finishing plaster, which contains calcined gypsum, with or without retarder, and with or without hydrated lime.

	Federal Requirement	Test Results
<i>Old Newark Neat Plaster</i> SSP-401		
Content of $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$	60.5	65.4
Time of set, Minimum	1.5	6 hours
Tensile Strength-lbs. per sq. in.	150.0	248
<i>Old Newark Sanded Plaster</i>		
Content of $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$	20	29.3
Content of Sand	66.7	65.4
Time of set, Minimum hrs.	1.5	6.0
Time of set, Maximum hrs.	7.0	6.0
Tensile Strength-lbs. per sq. in.	75.0	176.0

Test No. N. Y. 40852, December 29, 1939, Pittsburgh Testing Laboratories.

<i>Old Newark Gauging Plaster</i> SSG-901		
Content of $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$	20	29.3
Time of set, Minimum	10 min.	14 min.
Time of set, Maximum	40 min.	14 min.
Fineness:		
Passing No. 14 sieve	100%	100%
Passing No. 100 sieve	75%	99%
Tensile strength-lbs. per sq. in.	200	392

<i>Old Newark Moulding Plaster</i> SSG-901		
Content of $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$	60.5	80.0
Time of set, Minimum	10 min.	12 min.
Time of set, Maximum	40 min.	12 min.
Fineness:		
Passing No. 14 sieve	100	100
Passing No. 100 sieve	75	98
Tensile strength	200	333
Compressive strength	1000	3016

Old Newark Acoustical Plaster

This material is composed of an aggregate having gypsum as a binder as required under sub-division C1 of Federal Specification SSP-391.

A sample of this material was subjected to sound absorption tests at the Bureau of Standards, file VI-2/Tn-81150 with results as follows:

"The 1/2 inch thick sample of acoustic plaster which was erected here on a false ceiling has been measured in our reverberation chamber for sound absorption.

MINUTES

"The sample consisted of 75 square feet of acoustic plaster applied on a gypsum base coat which was on metal lath. The thickness of the base coat from the face of the studs to the face of the plaster was 3/4". The frames were made of 2 x 4's spaced 15" on centers.

"The acoustic plaster was applied in two coats, each coat being 1/4" thick. The first coat was applied on a base coat which was thoroughly dried. The second coat was applied approximately 24 hours after the first coat. The second coat was allowed to stand until the moisture disappeared from the surface and was then finished with a steel trowel. In finishing the surface only enough troweling was done to remove the trowel marks which had been left in applying the plaster.

"When the sound absorption measurements were made the sample was laid on the floor of the reverberation chamber. The results are as follows:

Frequency	Coefficient of Sound Absorption
128	.09
256	.23
512	.47
1024	.77
2048	.71
4096	.75
Noise Coefficient	.55

A similar test file VI-2/Tn82547 was repeated on a 3/4" thick sample with results as follows:

Frequency	Coefficient of Sound Absorption
128	.16
256	.34
512	.63
1024	.74
2048	.73
4096	.72
Noise Coefficient	.60

Old Newark Patching Plaster

There is no Federal specification covering this material. This material is a gypsum base with marble dust, silica and other extenders. It is used for patch-work in preparing a finished surface for redecoration.

	Federal Requirement	Test Results
Old Newark Bond Plaster	SSG-901	
Content of CaSO ₄ .1/2H ₂ O	60.5	62.9
Content of Wood Fiber	1.0%	1.0%
Time of set, Minimum hrs.	1.5	6.75
Time of set, Maximum hrs.	8.0	6.75
Tensile strength-lbs. per sq. in.	125.0	249.0

Old Newark Wood Fiber Plaster

	SSP-401	
Content of CaSO ₄ .1/H ₂ O	60.5	62.9
Content of Wood Fiber	1.0	1.0
Time of set, Minimum hrs.	1.5	6.75
Time of set, Maximum hrs.	8.0	6.75
Tensile strength	125.0	249.0

Monument Interior Finish:

A report of Columbia University No. 2493 of a one hour fire test made upon Gypsum board partition panels with Monument Interior Finish on one half of it and the usual white coat on the other half show the Monument Interior Finish to be satisfactory as a substitute to the usual white finish coat. Accordingly the Committee recommends the approval of the use of this material as a substitute to the usual white coat on any partition required to have a fire resistant rating.

On the basis of these tests it is recommended that Newark Plaster Co.'s Gypsum plaster be approved for use in New York City under the names and sections of the Administrative Building Code as given

- Old Newark Neat Plaster
- Old Newark Sanded Plaster
- Old Newark Gauging Plaster

- Old Newark Moulding Plaster
- Old Newark Acoustical Plaster
- Old Newark Patching Plaster
- Old Newark Bond Plaster
- Old Newark Wood Fiber (Sanded)
- Monument Interior Finish

- C26-312.0 (7.1.1.7.4)
- C26-464.0 (8.4.10.8)
- C26-466.0 (8.4.10.10)
- C26-572.0 (10.1.2)
- C26-577.0 (10.1.4.2)
- C26-632.0 (10.4.1.2)
- C26-636.0 (10.4.3.1)
- C26-667.0 (10.4.3.2)
- C26-669.0 (10.11)

Approval is recommended under the condition that the material be manufactured in accordance with the specifications set forth in this report and that it be installed in accordance with the requirements of the Building Code. This material being shipped in bags, the Committee accordingly recommends that each bag be tagged, labelled or marked with the name and use of the material and shall bear the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 814-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Newark Plaster Co. Gypsum Plaster, (Various Trade Names), on condition that the material be manufactured, used, and labelled stamped or tagged in accordance with above report.

986-39-SM

APPLICANT—Allentown Portland Cement Co., owner.

SUBJECT—Allentown Light and Dark Portland Cements, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(986-39-SM)

WHEREAS, the Allentown Portland Cement Company filed on July 21, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Allentown Light and Dark Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 986-39-SM

Re: Allentown Portland Cements, Approval of:

December 23, 1939.

On July 21, 1939, application was filed by Allentown Portland Cement Company, Catasauqua, Pa., for the approval of Allentown Light and Dark Portland Cements, as manufactured by the applicant at Evansville, Pa., and by Valley Forge Cement Company at West Conshohocken, Pa., for use in New York City, pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

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A record of the supply of raw materials filed with the Board indicates that consistently homogeneous raw materials are available for at least 50 years at the present rate of manufacture. Flow sheets have been filed, showing the method of manufacture.

Samples of these cements were tested in the presence of a representative of the Board at the laboratory of the Valley Forge Cement Company at West Conshohocken, Pa., pursuant to the methods of test as prescribed in Federal Specification SS-C-158, with the following results:

ALLENTOWN LIGHT PORTLAND CEMENT (VALLEY FORGE MILL)

PHYSICAL TESTS:

<i>As Tested</i>	<i>Federal Spec.</i> SS-C-191-A	<i>A.S.T.M.</i> <i>Spec.</i>
Fineness (200 mesh)		
90.8%	—	78%
Fineness (325 mesh)		
81.2%	—	—
Surface Area		
1650 sq. cm. gm.	1500	—
Soundness O.K.	sound	sound
Initial set		
(Gilmore)	Not less than	Not less than
2 hrs. 50 min.	60 min.	45 min.
Final set		
(Gilmore)	Not more than	Not more than
5 hrs. 45 min.	10 hrs.	10 hrs.
Normal Consistency		
22%	—	—
Compressive Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days 1592	900	
Age 7 days 2807	1800	
Age 28 days 4775	3000	
Tensile Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days 308	175	—
Age 7 days 372	275	275
Age 28 days 435	350	350

CHEMICAL ANALYSIS

	<i>As</i> <i>Analyzed</i>	<i>Not More</i> <i>Than</i>	<i>Not More</i> <i>Than</i>
SiO ₂	20.8	....	....
Fe ₂ O ₃	3.3	6.00	....
Al ₂ O ₃	5.6	7.50	....
CaO	61.9	....	....
MgO	4.5	5.00	5.00
SO ₃	1.8	2.00	2.00
Loss	1.2	3.00	4.00
Insol.	.22	0.75	0.85
SiO ₂ R	2.34	....	....
CaOR	2.08	....	....

COMPONENT PARTS

C ₃ S	42.5	C ₃ A	9.3
C ₂ S	27.6	C ₄ AF	10.1
CaSO ₄	3.1	Free lime	.93

ALLENTOWN DARK PORTLAND CEMENT (VALLEY FORGE MILL) PHYSICAL TESTS:

<i>As Tested</i>	<i>Federal Spec.</i> SS-C-191-A	<i>A.S.T.M.</i> <i>Spec.</i>
Fineness (200 mesh)		
90%	—	78%
Fineness (325 mesh)		
80.9%	—	—
Surface Area		
1730 sq. cm. gm.	1500	—
Soundness O.K.	sound	sound

Initial Set		
(Gilmore)	Not less than	Not less than
3 hrs. 15 min.	60 min.	45 min.
Final Set		
(Gilmore)	Not more than	Not more than
6 hrs. 0 min.	10 hrs.	10 hrs.
Normal consistency		
22%	—	—
Compressive Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days 1728	900	—
Age 7 days 2659	1800	—
Age 28 days 4595	3000	—
Tensile Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days 289	175	—
Age 7 days 368	275	275
Age 28 days 427	350	350

CHEMICAL ANALYSIS

	<i>As</i> <i>Analyzed</i>	<i>Not More</i> <i>Than</i>	<i>Not More</i> <i>Than</i>
SiO ₂	19.8	....	....
Fe ₂ O ₃	4.5	6.00	....
Al ₂ O ₃	5.5	7.50	....
CaO	61.6	....	....
MgO	4.4	5.00	5.00
SO ₃	2.0	2.00	2.00
Loss	1.4	3.00	4.00
Insol.	.16	0.75	0.85
SiO ₂ R	1.98	....	....
CaOR	2.07	....	....

COMPONENT PARTS

C ₃ S	47.6	C ₃ A	7.0
C ₂ S	20.9	C ₄ AF	13.7
CaSO ₄	3.4	Free Lime ...	.86

ALLENTOWN LIGHT PORTLAND CEMENT (EVANSVILLE MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec.</i> SS-C-191-A	<i>A.S.T.M.</i> <i>Spec.</i>
Fineness (200 mesh)		
96.4%	—	78%
Fineness (325 mesh)		
94.0%	—	—
Surface Area		
1800 sq. cm. gm.	1500	—
Soundness O.K.	Sound	Sound
Initial Set		
(Gilmore)	Not less than	Not less than
2 hrs. 40 min.	60 min.	45 min.
Final Set		
(Gilmore)	Not more than	Not more than
5 hrs. 40 min.	10 hrs.	10 hrs.
Normal consistency		
23½%	—	—
Compressive Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days 2236	900	—
Age 7 days 3403	1800	—
Age 28 days 6043	3000	—
Tensile Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days 336	175	—
Age 7 days 391	275	275
Age 28 days 474	350	350

MINUTES

CHEMICAL ANALYSIS

	As Analyzed	Not More Than	Not More Than
SiO ²	21.9	....	....
Fe ² O ³	2.5	6.00	....
Al ² O ³	5.5	7.50	—
CaO	62.5	....	....
MgO	4.3	5.00	5.00
SO ³	1.9	2.00	2.00
Loss	.6	3.00	4.00
Insol.	.20	0.75	0.85
SiO ² R	2.74	....	....
CaOR	2.09	....	....

COMPONENT PARTS

C ³ S	38.7	C ³ A	10.3
C ² S	33.7	C ⁴ AF	7.6
CaSO ⁴	3.2	Free lime	.82

ALLENTOWN DARK PORTLAND CEMENT
(EVANSVILLE MILL) PHYSICAL TESTS:

<i>As Tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. Spec.</i>
Fineness (200 mesh) 95.2%	—	78%
Fineness (325 mesh) 90.1%	—	—
Surface Area 1800 sq. cm. gm.	1500	—
Soundness O.K.	Sound	Sound
Initial Set (Gilmore) 2 hrs. 45 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gilmore) 5 hrs. 30 min.	Not more than 10 hrs.	Not more than 10 hrs.
Normal consistency 24%	—	—
Compressive Strength: (Average of 6 specimens lbs. sq. in.)		
Age 3 days 1491	900	—
Age 7 days 2295	1800	—
Age 28 days 5523	3000	—
Tensile Strength: (Average of 6 specimens lbs. sq. in.)		
Age 3 days 274	175	—
Age 7 days 354	275	275
Age at 28 days 455	350	350

CHEMICAL ANALYSIS

	As Analyzed	Not More Than	Not More Than
SiO ²	21.6	....	....
Fe ² O ³	4.2	6.00	....
Al ² O ³	5.5	7.50	....
CaO	60.6	....	....
MgO	4.7	5.00	5.00
SO ³	1.7	2.00	2.00
Loss	.9	3.00	4.00
Insol.	.18	0.75	0.85
SiO ² R	2.23	....	....
CaOR	1.94	....	....

COMPONENT PARTS

C ³ S	32.2	C ³ A	7.5
C ² S	37.7	C ⁴ AF	12.8
CaSO ⁴	2.9	Free lime	.60

All tests were conducted in accordance with Federal Specifications SS-C-191-A, pursuant to methods prescribed in Federal Specification SS-C-158.

This material is shipped in cloth and paper bags and in bulk and as a result of these tests it is accordingly recommended that Allentown Light and Allentown Dark Portland Cement, as manufactured by the Allentown Portland Cement Company at Evansville, and by the Valley Forge Cement Company at West Conshohocken, Pa., be approved for use in New York City pursuant to Section C26-312.0 (C-1 (7.1.1.7.3) of the Administrative Building Code, on condition that notarized monthly reports of mill tests, signed by the applicant's chemist be filed with the Board and that all bags be stamped, labeled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 986-39-SM", and that when shipped in bulk, its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Allentown Light and Dark Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 4:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION C 19-94.0 OF THE ADMINISTRATIVE CODE.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666 of the New York City Charter, for the carrying into effect the provisions of section C 19-94.0 of the Administrative Code.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:

1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:

1. Liquefier Serial Number.
2. Original number of cylinder used for conversion.
3. Original ownership initials of cylinders used for conversion.
4. Original I. C. C. marking of cylinder used for conversion.
5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
6. Test pressure applied to cylinder before conversion.
7. Total expansion obtained on cylinder before conversion.
8. Permanent expansion obtained on cylinder before conversion.
9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I.C.C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H. and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
 - C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
 - D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
 - E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
 - F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
 - G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
 - H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:

The top portion of the liquefier including closure plate

RULES

shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New Liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

S

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions:

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen	6 1/8 in. x 7 1/8 in.
200 ft. oxygen	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen	5/8 in.
200 ft. oxygen	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

RULES

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs. per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. not in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than 3/4 in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.

- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5 1/2 in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8 1/2 in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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			No. 4

DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELIGOTT
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Minutes of Special Meeting January 19, 1940, at 10 A. M., Affecting Calendar Number 1052-39-A.

Oil Burner Rules.
Approved Fuel Oil Pumps.
Fire Retarding Rules for Garages, etc.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to January 16, 1940.

Cal. No. Department Premises Affected

34-40-SA.....Kennedy Motorized O.S. & Y.
Valve, Appliance.

35-40-A.....H.B.Q.....154-31 233rd street, east side,
150 ft. south of Rockaway
boulevard (Block No. 4740,
part of Lot No. 1), Jamaica,
Borough of Queens,
N.B. 9402-39.

36-40-A.....H.B.Q.....154-36 233rd street, west side,
101.18 ft. south of Rockaway
boulevard (Block No. 4740,
part of Lot No. 1), Jamaica,
Borough of Queens,
N.B. 9401-39.

37-40-SM.....Liquid Kleen-Flo (Oil Condi-
tioner), manufactured by Com-
bustion Service Company,
Material.

38-40-BZ....H.B.Q.....169-24 Hillside avenue and 87-68
170th street, southwest corner
(Block No. 9825, Lot Nos. 16
and 21), Jamaica, Borough of
Queens,
Misc. Applic. 6589-39.

39-40-A.....H.B.B.....665 East 17th street, east side,
156 ft. $\frac{7}{8}$ in. south of Foster
avenue (Block No. 5238, Lot
No. 31), Borough of Brook-
lyn, Alt. 3360-39.

40-40-SM.....Jno. T. McCoy, Inc. (Schuster)
System of 16 in. square Burnt
Clay Tile Floor Fillers of
New Jersey Clay, manufac-
tured by Jno. T. McCoy, Inc.,
Material.

41-40-SM.....Sanimetal Tile, manufactured
by Sanimetal Tile Corpora-
tion,
Material.

42-40-A.....F.D.....59-75 Thames street and 92-104
Knickerbocker avenue, north-
east corner (Block No. 3008,
Lot No. 22), Borough of
Brooklyn,
81684-L.C. and Decision.

43-40-A.....H.B.Q.....Blocks bounded by 263rd street,
Long Island Motor Parkway,
Hewlett avenue and 76th ave-

nue (Block Nos. 26A, 27A,
34A to 42A, inclusive, Lot
No. None), Bellerose, Bor-
ough of Queens (Hillside
Hospital), N.B. 10074-39.

44-40-A.....H.B.M.....735 Park avenue and 101-113
East 71st street, northeast
corner (Block No. 1406, Lot
Nos. 1 to 6, inclusive, and
Lot No. 6 $\frac{1}{2}$), Borough of
Manhattan, N.B. 14-40.

45-40-A-WF.H.B.Q.....103-25 Northern boulevard, north-
west corner of 104th street
(Block No. 1698, Lot No. 37),
Corona, Borough of Queens,
Misc. Applic. 9861-39.

46-40-BZ....H.B.Bx....Southwest corner of West 236th
street and Cambridge avenue
(Block No. 3409-F, part of
Lot No. 433), Borough of The
Bronx, N.B. 9-40.

47-40-A.....F.D.....759 Sixth avenue, west side, 39.8
ft. north of West 25th street
(Block No. 801, Lot No. 38),
Borough of Manhattan,
5411-L.F. and Decision.

48-40-A.....F.D.....765 Sixth avenue, west side, 79.6
ft. north of West 25th street
(Block No. 801, Lot No. 40),
Borough of Manhattan,
5512-L.F. and Decision.

49-40-SM.....Gold Bond Floating Wall (Nail
System), manufactured by Na-
tional Gypsum Company,
Material.

50-40-A.....H.B.M.....330-346 West 34th street, south
side, 300.1 ft. west of Eighth
avenue (Block No. 757, Lot
No. 54), Borough of Manhat-
tan,
Decision re Viol. 5857-39.

51-40-A.....H.B.M.....102 East 30th street, south side,
60 ft. east of Fourth avenue
(Block No. 885, Lot No. 87),
Borough of Manhattan,
Alt. 3862-39.

52-40-SM.....Manhattan Dividing Strips,
manufactured by Manhattan
Terrazzo Brass Strip Co., Inc.,
Material.

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53-40-A.....H.B.M.....72-74 Horatio street, south side,
94 ft. 5 in. west of Greenwich
street (Block No. 642, Lot No.
52), Borough of Manhattan,
Alt. 3561-39.

54-40-A.....H.B.R.....Southeast corner of Davidson
street and Mersereau avenue
(Block No. 1242, Lot No. 5),
Arlington, Borough of Rich-
mond, Alt. 3-40.

55-40-S.....F.D.....21-02 to 21-16 43rd avenue, south-
east corner of 21st street
(Block No. 441, Lot No. 16),
Long Island City, Borough of
Queens,
2882-L.F. and Decision.

56-40-BZ....H.B.Bx....4745-4747 Bronx boulevard and
550 East 242nd street, south-
west corner (Block No. 5102,
Lot No. 27), Borough of The
Bronx, Alt. 814-39.

57-40-A.....H.B.Bx....4745-4747 Bronx boulevard and
550 East 242nd street, south-
west corner (Block No. 5102,
Lot No. 27), Borough of The
Bronx, Alt. 814-39.

58-40-A.....H.B.Q.....181-21 Liberty avenue, north
side, 410 ft. west of 183rd
street (Block No. 10329, part
of Lot No. 201), Hillside,
Borough of Queens,
N.B. 9772-39.

59-40-A.....H.B.B.....310-316 Flatbush Avenue Exten-
sion, southwest corner of Al-
bee square (Block No. 2079,
Lot Nos. 9, 11 and 12), Bor-
ough of Brooklyn,
N.B. 487-39.

Restored to Calendar.

811-39-SM....."Evanaire" Insulating Wall
board Lath, manufactured by
Treetex Corporation,
Material.

400-32-SA.....Superfex Oil Burner Warm-
Air Furnace, Model No. 90,
Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On January 19, 1940, Benjamin E. Alter, attorney, served on
Board petition and order of certiorari on behalf of Louis Caner,
owner, in re decision of Board of October 31, 1939, under Cal. No.
1222-38-BZ, denying conversion of part of first story of multiple
dwelling from residence to business use, section 21, at premises
794-798 Saratoga avenue, Borough of Brooklyn.

On January 23, 1940, Herman S. Axelrod, attorney, for Wil-
liam Kaplan, Objector, served on Board petition and order of
certiorari, in re decision of Board of December 19, 1939, granting
gasoline service station, under section 21, Cal. No. 1121-39-BZ, at
premises 6001-6015 Church avenue, northwest corner of Ralph
avenue, Borough of Brooklyn.

COURT DECISIONS

Peo. ex rel. Richel v. Murdock—On December 14, 1937, the
Board denied application for permanent permit for gasoline station,
previously granted for temporary period, under section 21, Cal.
No. 662-26-BZ, premises 3504-3510 Boston road, southeast corner
of Eastchester road, Borough of The Bronx. Mr. Justice McGeehan
sustained Board (N.Y.L.J. Jan. 23, 1940), his decision reading as
follows:

"Motion to dismiss the order of certiorari and to
affirm the determination of the Board of Standards and
Appeals is granted. The court finds no basis to support
the allegations that the action and determination by the
Board of Standards and Appeals is illegal, unconstitu-
tional, arbitrary, improper or the result of negligence in
considering the practical difficulties and hardships to the
petitioner in applying the law, or that the Board acted
improperly or illegally and without considering all the
facts. The petitioner feels aggrieved because his limited
privilege in the use of the property has expired and is not
being continued. It might be a hardship on the peti-
tioner but that possibility was one of the incidents of the
investment and this court won't adjudicate the Board's
conduct illegal, improper, unconstitutional or arbitrary in
letting the privilege expire under its own terms. Settle
order accordingly."

Palatnick v. Murdock—On July 5, 1939, Board denied gasoline
station under section 21 (previously denied and reheard by order
of court) in business district, Cal. No. 235-31-BZ, at premises 701-
705 Utica avenue, Borough of Brooklyn. Mr. Justice Lockwood's
decision sustaining Board (N.Y.L.J. Jan. 23, 1940) reads as fol-
lows:

"It does not appear from the record that the deter-
mination of the Board of Standards and Appeals was
capricious, arbitrary, oppressive or unfair. The court
may not substitute its discretion for that of the Board.
Accordingly the motion to dismiss the order of certiorari
and to confirm the determination of the Board must be
granted."

RULES

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Concrete Flat Slabs, RulesJuly	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....Aug.	3, 1937—Vol. 22, No. 31
Elevator RulesMar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit RulesJan.	2, 1940—Vol. 25, No. 1
Fire Alarm Rules (Interior).....Sept.	12, 1939—Vol. 24, No. 37
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Insulating Fibre Board RulesOct.	3, 1939—Vol. 24, No. 40
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Refrigerating Systems, Extract A.C.Oct.	10, 1939—Vol. 24, No. 41
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Fuel Oil Fill Pipe Terminals	Oct.	8, 1939—Vol. 24, No. 40
Fuel Oil Burners for Industrial Use	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Jan.	23, 1940—Vol. 25, No. 4
Gas Heaters	Aug.	29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov.	14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov.	7, 1939—Vol. 24, No. 45

JANUARY 23, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1216-39-BZ—Application, October 25, 1939, under sections 7a and 7c of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of 352 West 44th Street Corporation, owner, to permit in a residence use district, the alteration and, also, the extension of an existing business use in an existing building; premises 352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan.

CAL. NO. 587-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of The Long Island Railroad Company, owner, to permit partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 1520-1524 Avenue "P", southwest corner of East 16th street (Block No. 6778, part of Lot No. 8), Borough of Brooklyn.

CAL. NO. 28-29-BZ—Application of Sidney H. Kitzler, applicant, on behalf of Philip Gindoff, owner (George Cohen, lessee), reopened April 25, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of an alcove gasoline service station in a garage for more than five (5) motor vehicles previously granted by the Board (a portion, only, of which was erected); premises 433-443 Empire boulevard, north side, 101 ft. 2 in. east of New York avenue (Block No. 1310, Lot No. 73), Borough of Brooklyn.

CAL. NO. 624-38-BZ—Application, July 14, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on be-

half of Arthur J. Largy, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

CAL. NO. 628-39-BZ—Application, May 16, 1939, under sections 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

CAL. NO. 1256-39-BZ—Application, October 11, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Morris Rosen, owner, to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Thomas I. Sheridan, applicant and lessee, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor

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vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance

of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1940, 2 P. M.

Appeals from Administrative Decisions

1525-39-A—81 Vesey street, southeast corner of Washington street (Block No. 83, Lot No. 10), Borough of Manhattan.

1471-39-A—99 West 9th street, north side, 84 ft. 10½ in. east of Henry street (Block No. 536, Lot No. 47), Borough of Brooklyn.

1540-39-A—30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan.

44-40-A—735 Park avenue and 101-113 East 71st street, northeast corner (Block No. 1406, Lot Nos. 1 to 6, inclusive, and Lot No. 6½), Borough of Manhattan.

1510-39-A—56-14 Nurge avenue, south side, 135 ft. east of 56th street (Block No. 2643, Lot No. 34), Maspeth, Borough of Queens.

1527-39-A—150-24 Northern boulevard, southwest corner of 150th place (Block No. 5032, Lot Nos. 24 and 25), Flushing, Borough of Queens.

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9-40-A—159-49 Whitestone street, east side, 70 ft. north of Academy street (Block No. 3979, Lot No. 355), Whitestone, Borough of Queens.

1444-39-A—137-23 Bedell street, north side, 216 ft. east of Farmers boulevard (Block No. 3464, Lot No. 34), Springfield Gardens, Borough of Queens.

1511-39-A—85-04 Northern boulevard, southeast corner of 85th street (Block No. 1433, Lot No. 1 and part of Lot No. 3), Jackson Heights, Borough of Queens.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 762-39-BZ—Application, June 9, 1939, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on be-

half of Emigrant Industrial Bank, owner (Paul Morra, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 338-340 East 8th street, south side, 83 ft. west of Avenue "C" (Block No. 390, Lot Nos. 27 and 28), Borough of Manhattan.

CAL. NO. 823-39-BZ—Application, June 20, 1939, under section 7h of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Messmore Kendall, owner (Northeast White Tower System, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 231-235 West 50th street, north side, 255 ft. east of Eighth avenue (Block No. 1022, Lot Nos. 12 and 13 and part of Lot No 5), Borough of Manhattan.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

CAL. NO. 1057-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Chemical Bank and Trust Company and Marie Buckley, as sub-trustees u/w of Josephine Guidet Buckley for benefit of Marie Buckley, owners, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 2002-2014 Neptune avenue and 2802-2820 West 20th street, southwest corner (Block No. 7018, Lot No. 9), Borough of Brooklyn.

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 979-24-BZ—Application of Saul Goldsmith, applicant, on behalf of Joseph A. Redmond

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and John J. Redmond, owners; reopened October 24, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of a store—previously granted by the Board for the conduct of retail business—to an undertaking establishment; premises 6930 Fourth avenue and 379 Ovington avenue, northwest corner (Block No. 5872, Lot No. 54), Borough of Brooklyn.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

CAL. NO. 89-38-BZ—Application, February 14, 1938, under sections 7h and 21 of the building zone resolution, of Isaac T. Flatto, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1682 Palmetto street and 714 Cypress avenue, southeast corner (Block No. 3449, part of Lot No. 6), Ridgewood, Borough of Queens.

CAL. NO. 845-39-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 2 P. M.

Appeals from Administrative Decisions.

1393-39-A—107-109 West 38th street, north side, 90 ft. west of Sixth avenue (11th floor), (Block No. 814, Lot No. 30), Borough of Manhattan.

1551-39-A—161 Perry street, north side, 60 ft. east of West street (5th and 6th floors), (Block No. 637, Lot No. 77), Borough of Manhattan.

50-40-A—330-346 West 34th street, south side, 300.1 ft. west of Eighth avenue (Block No. 757, Lot No. 54), Borough of Manhattan.

53-40-A—72-74 Horatio street, south side, 94 ft. 5 in. west of Greenwich street (Block No. 642, Lot No. 52), Borough of Manhattan.

60-40-A—Blocks bounded by East 102nd street to East 105th street, between First avenue and East River drive (Block Nos. 1696, 1697 and 1698, Lot Nos. none), Borough of Manhattan.

4-40-A—8018 Fifth avenue, west side, 64 ft. 3¾ in. north of 81st street (Block No. 5989, Lot No. 49), Borough of Brooklyn.

96-40-A—172-236 First street, 229-293 Third street, 321-359 Third avenue and 338 Fourth avenue (Block No. 968, Lot No. 1), Borough of Brooklyn.

43-40-A—Blocks bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A, 34A and 42A, inclusive), Bellerose, Borough of Queens (Hillside Hospital).

Variation of the Labor Law

1449-39-S—25 Carroll street, north side, 200 ft. east of Van Brunt street (Block No. 347, Lot No. 53), Borough of Brooklyn.

FEBRUARY 6, 1940, 10 A.M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 767-39-BZ—Application, June 9, 1939; dismissed for lack of prosecution December 19,

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1939; reopened and restored to calendar January 3, 1940, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Philip Levison and Estate of Benjamin Anchell, owners (Thomas Kallenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 675-22-BZ—Application of Otto A. Staudt, applicant, on behalf of Herman Stursberg Realty Company, owner; reopened January 3, 1940, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system; premises 250-272 Willis avenue, east side, between East 138th street and East 139th street, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue, and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 92-36-BZ—Application of Hirsh, Newman, Reass and Becker, applicants, on behalf of Consolidated Biological Products, Inc., owner; reopened July 5, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board); premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

CAL. NO. 433-39-BZ—Application, April 4, 1939, under sections 7h and 21 of the building zone resolution, of Bernard Shatzkin, applicant, on behalf of Maribert Realty Corporation and Lever and Sidway, Inc., owners, to permit, partly in a business use district and partly in an unrestricted use district, the parking of

more than five (5) motor vehicles; premises 225 Nagle avenue, southeast corner of Academy street, block bounded by Academy street, Nagle avenue, Tenth avenue and West 204th street (Block No. 2216, Lot Nos. 1, 7, 11, 15, 24, 27 and 42), Borough of Manhattan.

CAL. NO. 702-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Holy Name Mission of the Bowery District, Inc. and Second Street Holding Company, Inc., owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 7-19 East 2nd street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13 to 19, inclusive), Borough of Manhattan.

CAL. NO. 1332-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 30-32 Willett street, southeast corner of Delancey (Marginal) street (Block No. 337, Lot Nos. 38, 40 and 41), Borough of Manhattan.

CAL. NO. 872-39-BZ—Application, June 28, 1939, under sections 7h and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Berk Bres Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a gasoline service station; premises 7001-7019 Bay Parkway, southwest corner of West 10th street, and 1-21 Avenue "O" (Block No. 6574, Lot No. 6), Borough of Brooklyn.

CAL. NO. 877-39-BZ—Application, June 29, 1939, under section 7a of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Max Kahn, owner (Family Laundry Service, Inc., lessee), to permit in a residence use district the erection and maintenance of a pit for a pre-heating water coil used in conjunction with the existing laundry on the premises and, also, the maintenance of an existing frame shed; premises 1059-1063 63rd street, north side, 140 ft. west of Eleventh avenue, and 1062-1064 62nd street (Block No. 5730, Lot No. 32), Borough of Brooklyn.

CAL. NO. 1204-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolution, of Edward J. Hurley, applicant, on behalf of Chiara Catella, owner, to

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permit in a business use district the erection and maintenance of a gasoline service station; premises 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to 4225 Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx.

CAL. NO. 1421-39-BZ—Application, November 17, 1939, under section 7h of the building zone resolution, of John McBride, applicant and lessee, on behalf of Fordbrad Realty Company, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1940, 2 P.M.

Appeals from Administrative Decisions.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1473-39-A—Re transportation and sale of gasoline in Tank Trucks (not of approved type) in New York City.

21-40-A—163 South street, west side, 20 ft. 4 in. north of Dover street (Block No. 108, part of Lot No. 8), Borough of Manhattan.

1509-39-A—2581 Richmond terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond.

76-40-A—316 Pleasant avenue, east side, 25 ft. south of East 117th street (Block No. 1715, Lot No. 49), Borough of Manhattan.

24-40-A—1860 74th street, south side, 128 ft. west of 19th avenue (Block No. 6216, Lot No. 35), Borough of Brooklyn.

39-40-A—665 East 17th street, east side, 150 ft. $\frac{7}{8}$ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

13-40-A—112-23 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

54-40-A—Southeast corner of Davidson street and Mersereau avenue (Block No. 1242, Lot No. 5), Arlington, Borough of Richmond.

125-40-A—59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn.

FEBRUARY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, February 14, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1245-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Victor Mayper, applicant, on behalf of Ojar Holding Corporation, owner, to permit in an unrestricted use district and, also "B" area district, the erection and maintenance of a fire tower in a required rear yard; premises 213-217 East 37th street, north side, 180 ft. east of Third avenue (Block No. 918, Lot Nos. 10, 11 and 12), Borough of Manhattan.

CAL. NO. 1199-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Alfonso Furibondo, owner, to permit in a business use district, the extension of a garage for more than five (5) motor vehicles; premises 385 Douglass street, north side, 290 ft. west of Fifth avenue (Block No. 943, Lot Nos. 59 and 60), Borough of Brooklyn.

CAL. NO. 1293-39-BZ—Application, October 18, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of A. L. M. Development Corporation, owner (Jack Koenig, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1401-1407 Avenue "M", north-east corner of East 14th street, and 1402-1406 Chestnut avenue (Block No. 6735, Lot No. 121), Borough of Brooklyn.

CAL. NO. 1423-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Esther M. Kornblum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2102-2124 Avenue "Z", southeast corner of East 21st street (Block No. 7441, Lot No. 371), Borough of Brooklyn.

CAL. NO. 1051-39-BZ—Application, August 18, 1939, under section 21 of the building zone resolution,

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tion, of Joseph Villano, applicant, on behalf of Joseph Villano and Sabbatina Villano, owners, to permit in a residence use district, the maintenance of ten (10) individual garages not an accessory use to a dwelling on the same plot; premises 2415 Wallace avenue, west side, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx.

CAL. NO. 562-37-BZ—Application of Frank G. Burger, applicant, on behalf of Foggin-Burger Land Company, Inc., owner, reopened December 5, 1939, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the extension of an existing business building and, also, the parking of more than five (5) motor vehicles; premises 1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1533-39-A—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851 Lot No. 51), Glendale, Borough of Queens.

FEBRUARY 20, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 20, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place

(Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 546-39-BZ—Application, May 2, 1939, under section 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Krikwen Realty Company, Inc., owner (Gulf Oil Corporation, lessee), to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage; premises 213-223 East 125th street, north side, 135 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan.

CAL. NO. 212-36-BZ—Application of Charles H. Bellows, applicant, on behalf of Estate of John E. Miller, owner (Joseph Rossi, lessee), reopened October 3, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board); premises 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 20, 1939, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station (previously withdrawn); premises 139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1154-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Oscar J. Haig, applicant, on behalf of Rosa Lanza, William R. Close and Lavinia Close, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a multiple dwelling; premises east side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

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FEBRUARY 27, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulilhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 1356-39-BZ—Application, November 1, 1939, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Willess Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 2 P. M.

Appeals from Administrative Decisions.

117-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

118-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

120-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

Variations of the Labor Law.

119-40-S—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

121-40-S—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 16, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, December 12, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, December 12, 1939, were approved as printed in Bulletin No. 51, Vol. 24.

BUILDING ZONE CASES

47-38-BZ.

APPLICANT—Herman Kron, for Harris Ratner, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—27-41 Nagle avenue, south side, 300 ft. west of Elwood street, and 12-18 Bogardus place (Block No. 2171, Lot No. 12, and part of Lot Nos. 16 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Laid over to February 20, 1940, 10 A.M., for further consideration by the Board. No further argument.

902-38-BZ.

APPLICANT—John R. Kilpatrick, for Madison Square Garden Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution to permit in a residence use district, and also, within 200 ft. of a hospital, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—337-341 West 49th street, north side, 225 ft. east of Ninth avenue, and 348-352 West 50th street, (Block No. 1040, Lot Nos. 54, 55, 9, 10 and 11, and part of Lot No. 14), Borough of Manhattan.

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APPEARANCES—

For Applicant: None.

For Opposition: Jacob Greenfield.

ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M. No appearance for applicant.

845-39-BZ.

APPLICANT — Sidney H. Kitzler, for Harris Goody Realty Company, Inc., owner (Jack Nelson, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit a business use district, the erection of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner, (Block No. 1308, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Opposition: None.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by the Board.

1415-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

APPEARANCES—

For Applicant: Dennis F. Riordan, Edward L. Larkin, Anthony Scala, Benjamin C. Riley, Owen Murphy and Louis L. Altman.

For Opposition: Ira S. Robbins, Richard C. Mugler, Thomas J. Nevins, Mary Louise Fields, Robert C. Weinberg, Mavis C. Gallie and Milton B. Eaulau.

ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M., for consideration by committee of the Board. No further argument.

1416-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Blackstone avenue, 301 ft. south of West 246th street, (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Dennis F. Riordan, Edward L. Larkin, Anthony Scala, Benjamin C. Riley, Owen Murphy and Louis L. Altman.

For Opposition: Ira S. Robbins, Richard C. Mugler, Thomas J. Nevins, Mary Louise Fields, Robert C. Weinberg, Mavis C. Gallie and Milton B. Eaulau.

ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M., for consideration by committee of the Board. No further argument.

1417-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Dennis F. Riordan, Edward L. Larkin, Anthony Scala, Benjamin C. Riley, Owen Murphy and Louis L. Altman.

For Opposition: Ira S. Robbins, Richard C. Mugler, Thomas J. Nevins, Mary Louise Fields, Robert C. Weinberg, Mavis C. Gallie and Milton B. Eaulau.

ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M., for consideration by committee of the Board. No further argument.

1418-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southeast corner of West 246th street and Independence avenue, (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

APPEARANCES—

For Applicant: Dennis F. Riordan, Edward L. Larkin, Anthony Scala, Benjamin C. Riley, Owen Murphy and Louis L. Altman.

For Opposition: Ira S. Robbins, Richard C. Mugler, Thomas J. Nevins, Mary Louise Fields, Robert C. Weinberg, Mavis C. Gallie and Milton B. Eaulau.

ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M., for consideration by committee of the Board. No further argument.

1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Independence avenue, (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: Dennis F. Riordan, Edward L. Larkin, Anthony Scala, Benjamin C. Riley, Owen Murphy and Louis L. Altman.

For Opposition: Ira S. Robbins, Richard C. Mugler, Thomas J. Nevins, Mary Louise Fields, Robert C. Weinberg, Mavis C. Gallie and Milton B. Eaulau.

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ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M., for consideration by committee of the Board. No further argument.

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Independence avenue, 279.59 ft. south of West 246th street, (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: Dennis F. Riordan, Edward L. Larkin, Anthony Scana, Benjamin C. Riley, Owen Murphy and Louis L. Altman.

For Opposition: Ira S. Robbins, Richard C. Mugler, Thomas J. Nevins, Mary Louise Fields, Robert C. Weinberg, Mavis C. Gallie and Milton B. Eaulau.

ACTION OF BOARD—Laid over to January 23, 1940, 10 A.M., for consideration by committee of the Board. No further argument.

481-39-BZ.

APPLICANT—Louis Holtzman and Benjamin Weinberg, lessees, for Our Lady Help of Christians Church of Albany, New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—699 East 149th street, north side, 45 ft. east of Trinity avenue, (Block No. 2623, part of Lot No. 140), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel R. Buxbaum, Benjamin Weinberg, and H. D. McKeige.

For Opposition: Julius Davisen.

ACTION OF BOARD—Application withdrawn, after argument.

THE VOTE TO WITHDRAW:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

748-39-BZ.

APPLICANT—Lama and Proskauer, for George A. Tibbals and Samuel G. Tibbals, owners (Louis Kurfist and Joseph Greenspan, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—37-02 to 37-20 73rd street and 72-02 to 73-30 37th avenue, southwest corner, (Block No. 1283, Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Harry Berger, and William H. Rose.

For Opposition: Michael B. Meyerowitz, James J. Cotter, H. Paul Shank, Margaret R. Kap-

pler, Minnie L. Behrens, Mrs. J. Karhan, Joseph F. Meehan, E. Lefner, Ernest W. Skudder Joseph Jaddicco.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(748-39-BZ)

WHEREAS, Lama and Proskauer, (Louis Kurfist and Joseph Greenspan, lessees), for George A. and Samuel G. Tibbals, owners, filed June 7, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 37-02 to 37-20 73rd street and 72-02 to 72-30 37th avenue, southwest corner, (Block No. 1283, Lot No. 1, Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway and 37th avenue are in business use districts; 72nd street and 73rd street are in business use and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 12, 1939, re: Misc. Application No. 1933-39 reads:

"1. In a business district no premises shall be used for the storage or parking of more than 5 motor vehicles as per Sec. 4 subdivision 15 of Art. 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 294 ft. on 37th avenue, 100 ft. on 72nd street and 100 ft. on 73rd street. It is proposed to occupy the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under Section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1017-39-BZ.

APPLICANT—Edward J. Carr, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—448-452 East 189th street, south side, 89.02 ft. east of Third avenue, (Block No. 3042, Lot Nos. 27, and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Daniel G. Carroll.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

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THE RESOLUTION—

(1017-39-BZ)

WHEREAS, Edward J. Carr, owner, filed July 31, 1939, an application under section 7h of the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 448-452 East 189th street, south side, 89.02 ft. east of Third avenue, (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 189th street is in a business use district; Third avenue is in a business and unrestricted use district; Washington avenue is in a business, residence and unrestricted use district, and East 188th street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent, dated July 14, 1939, and as amended November 13, 1939, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than five (5) motor vehicles at the above premises, is denied, as the premises are located in a Business District, as established by the Amended Building Zone Resolution, where such occupancy is prohibited by Sec. 4, Art. 2 of the said Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 90 ft. It is proposed to use the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof, to permit the premises under appeal to be occupied for the storage and parking of automobiles, *on condition* that only those of the pleasure car type shall be so stored or parked; that the plot shall be leveled and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot lines except where masonry walls of adjoining buildings exist, a substantial woven wire fence with steel posts not less than 6 ft. in height; that a similar fence shall be erected on the street building line with not more than one entrance toward the center not over 15 ft. in width; that a curb cut opposite such entrance may be constructed not over 15 ft. in width; that during the term of this permit the premises shall be used for no other use than that herein permitted and no building shall be constructed thereon, except there may be erected a building for use only as an office and shelter for the attendant; that such building shall not be more than one story in height and not over 100 sq. ft. in area and may be of frame; that no signs shall be erected on the premises, except there may be a sign attached to the fence near the entrance, advertising the parking and storage use, provided such sign does not exceed 15 square feet in area, and does not extend beyond the building line; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

1121-39-BZ.

APPLICANT—Lama and Proskauer, for Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue, (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION:

Affirmative: Commissioners Savage and Blum	
and Assistant Chief Walsh	3
Negative	0
Not Voting: Chairman Murdock	1

THE RESOLUTION—

(1121-39-BZ)

WHEREAS, Lama and Proskauer for Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, filed September 8, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises: 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue, (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Church avenue and Ralph avenue are in business use districts; Remsen avenue and East 19th street are in business and residence use districts; and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 199 ft. on Ralph avenue, 206 ft. on Remsen avenue and 130 ft. on Church avenue. It is proposed to erect upon the plot a one story accessory building 42 ft. by 41 ft., irregular in area, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, this application was granted December 19, 1939, but no conditions fixed, pending filing of plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted December 19, 1939, so that as amended the resolution shall read:

"*Granted on condition*, that the plot shall be leveled substantially to the grade of the surrounding streets, and that all buildings and uses thereon shall be removed; that the accessory building shall be located toward the center of the plot, constructed of incombustible materials, except that the roof framing and boarding may be of wood; provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the roof shall be surfaced with natural slate; that the brick work shall be of face brick and kept unpainted; that the windows throughout shall be of steel sash; that doors and door frames may be of wood; that there shall be no open excavation under the accessory building; that all greasing equipment shall be of the hydraulic type; that the heater room shall be separated from the balance of the building by fire-proof construction, and shall be enterable only from the exterior; that the balance of the plot where not occupied by the accessory building and planting areas shall be cement paved; that the curb cuts shall not exceed two to each street, varying from 32 ft. to 52 ft. in width, as indicated on plans filed; that curb protection around areas to be planted, shall be maintained between entrances, and that such areas shall be planted with shrubs

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or other suitable planting material; that areas along the sidewalk next to curb opposite such planting areas shall be maintained sodded with grass; that no gasoline pumps shall be erected nearer than 20 feet to any street building line; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection of post standards, within the building line, near the intersection of the streets, each supporting a sign, advertising only the brand of gasoline on sale; that such sign may be illuminated but shall not extend beyond the building line for a distance of more than four feet; that toward the northerly portion of the plot near the intersection of Ralph and Remsen avenues there may be constructed a shelter for use in connection with a bus stop; that the gasoline pumps shall be of the parkway design with masonry pedestals in harmony with the design of the accessory building; that during the term of this permit the premises shall be used for no other use than that herein permitted; that there shall be no parking or storage of cars other than those being serviced, and no automobile repairing shall be carried on; that the plans marked 'Received January 13, 1940' are hereby approved as in general conformance with the requirements of this resolution as to arrangement and design; that all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

1285-39-BZ.

APPLICANT—Manoug Exerjian, for Sarkisian Realty Company, Inc., owner (Howard Rosenblatt, lessee).
SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—21-29 44th drive, north side, 90 ft. East of 21st street (Block No. 438, part of Lot No. 6), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Manoug Exerjian, Howard Rosenblatt, and D. M. Sarkisian.

For Opposition: James J. Cotter.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1285-39-BZ)

WHEREAS, Manoug Exerjian (Howard Rosenblatt, lessee), for Sarkisian Realty Co., Inc., owner, filed October 17, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 21-29 44th drive, north side, 90 ft. east of 21st street, (Block No. 438, part of Lot No. 6), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 44th drive is in a business use district; 44th road is in an unrestricted use district; 21st street and 23rd street are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of

buildings, dated October 9, 1939, re: Misc. Application No. 7625-39, reads:

"The use of that portion of premises for the parking of more than five motor vehicles located in a business district is contrary to Art. 2, section 4a subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger area, consisting of a plot of ground having a frontage of 375 ft. and a depth of 100 ft. It is proposed to occupy the premises for a temporary period of not more than two (2) years, for parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7h, thereof, to permit the premises under appeal to be occupied for the transient parking of automobiles, on condition that only those of the pleasure-car type shall be so parked; that the premises shall be levelled substantially to the grade of 44th drive and surfaced with steam cinders, clean gravel or other suitable material; that on the interior lot lines where walls of existing buildings do not already occur, there shall be erected a substantial woven wire fence with steel posts not less than 6 feet in height; that a similar fence shall be erected along the street line of 44th drive, except for three entrances not over 15 ft. in width each, with curb cuts opposite of similar width; that during the term of this permit the premises shall be used for no other purpose than as herein permitted for transient parking; that no building shall be erected thereon, except there may be erected near the entrance a frame building not over one story in height and 100 sq. ft. in area, as an office and shelter for the attendant; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire fighting appliances shall be installed as the fire commissioner shall direct; that no signs shall be erected on the premises, except there may be a sign erected at each entrance, advertising the transient parking use, provided this sign does not exceed 15 sq. ft. in area, and does not extend beyond the building line; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

1357-39-BZ.

APPLICANT—Jacob J. Gloster, for New Era Management Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings, under section 7c of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre.

PREMISES AFFECTED—87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street and 1925 Newbold avenue, (Block No. 3795, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Jacob J. Gloster, Dr. B. Kantrowitz, and Max E. Lynne.

For Opposition: Blanche Morando, F. H. Bullinger, and L. Gibbs.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

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THE RESOLUTION—

(1357-39-BZ)

WHEREAS, Jacob J. Gloster, for New Era Management Corporation, owner, filed November 3, 1939, an application under section 7c of the building zone resolution, to permit partly in a residence use and partly in a business use district, the erection and maintenance of a building to be used for stores, and also, a motion picture theatre; premises: 87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street and 1925 Newbold avenue, (Block No. 3795, Lot No. 9), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hugh J. Grant Circle and East 177th street are in business use districts; Newbold avenue and Virginia avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, in acting on N.B. 885-39, dated October 23, 1939, reads:

"1. The erection of proposed theatre building and stores extending into a residence district is contrary to section 3 of the building zone resolution."

and

WHEREAS, the proposed building is of non-fireproof construction, 75 ft. frontage on Hugh J. Grant Circle and 134 ft. 11 in. on Newbold avenue, and a depth of 123 ft. 5 in.; one story in height. The north portion of the premises for a depth of 100 ft. is located in a business use district, and the remainder of the premises facing on Newbold avenue is in a residence use district. It is proposed to erect upon the premises a one-story building to be used as stores and motion picture theatre; capacity, 599 seats; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7. subdivision c of the building zone resolution:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-c, thereof, to permit the extension of the proposed theatre and store building into the residence use district, substantially as proposed, *on condition* that the only door openings to Newbold avenue shall be the emergency exits of the proposed theatre; that the wall of the building along Newbold avenue shall be constructed of face brick; that no signs shall be erected on any portion of the building within the residence use area, and any ventilating system required for the theatre shall be located within the business use area; that no windows shall be constructed within the residence use area, on the lot line walls opening upon adjoining properties; that a portion of Newbold avenue opposite and adjacent to the plot under appeal shall be excavated to a street grade for a width of not less than 12 feet to permit exit from the theatre through Newbold avenue to Virginia avenue; that a guardrail shall be placed at the top of the rock along such exit passage; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

1448-39-BZ.

APPLICANT—Anthony M. De Rose, for Lederer Homes, Inc., owner.

SUBJECT—Application (re decisions of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and, also, "E" area district, the maintenance of five (5) one family dwellings not conforming with "E" area requirements.

PREMISES AFFECTED—927-935 Elder avenue, west side, 230.25 ft. to 308.25 ft. north of Story avenue, (Block No. 3651, part of Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose, and Norman Lederer.

For Opposition: None.

For Administration: M. C. E. Theide, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1448-39-BZ)

WHEREAS, Anthony M. De Rose, for Lederer Homes, Inc., owner, filed November 28, 1939, an application under section 21 of the building zone resolution, to permit in a residence use and also "E" area district the maintenance of five one-family dwellings not conforming with "E" area requirements; premises: 927-935 Elder avenue, west side, 230.25 ft., 249.75 ft., 269.25 ft., 288.75 ft. and 308.25 ft. north of Story avenue, (Block No. 3651, Part of Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Elder avenue is in a residence and business use, and also "E" and "D" area district; Wheeler avenue is in a residence and business use, and also "E" and "D" area district; Story avenue is in a residence use, and "E" and "D" area district; Eastern boulevard is in a business use, and "A" and "D" area district; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 21, 1939, in acting on N.B. Application No. 686-1939, reads:

"1. Building being located in an "E" District, same cannot occupy more than 30 per cent of the lot at a height of over 18 feet, Art. 4, Sec. 15, Building Zone Resolution.

2. Side yard must be maintained for the full depth of the lot in an "E" District. Art. 4, Sec. 15, Building Zone Resolution.

N.B. Application No. 687-1939, dated November 21, 1939, reads:

1. Building being located in an "E" District, same cannot occupy more than 30 per cent of the lot at a height over 18 feet. Art. 4, Sec. 15, Building Zone Resolution.

2. Side yard must be maintained for full depth of the lot in an "E" District. Art. 4, Sec. 15, Building Zone Resolution.

N.B. Application No. 688-1939, dated November 21, 1939, reads:

1. Building being in an "E" District, same cannot occupy more than 30 per cent of the lot at a height of over 18 feet. Art. 4, Sec. 15, Building Zone Resolution.

2. Side yard must be maintained for the full depth of the lot in an "E" District. Art. 4, Sec. 15, Building Zone Resolution.

N.B. Application No. 689-1939, dated November 21, 1939, reads:

1. Building being in an "E" District, same cannot occupy more than 30 per cent of the lot at a height over 18 feet. Article 4, Sec. 15, Building Zone Resolution.

2. Side yard must be maintained for the full depth of the lot in an "E" District. Art. 4, Sec. 15, Building Zone Resolution."

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N.B. Application No. 690-39, Dated November 21, 1939, reads:

"1. Building being in an "E" District, same cannot occupy more than 30 per cent of the lot at a height of over 18 feet. Article 4, Sec. 15, Building Zone Resolution.

2. Side yard must be maintained for the full depth of the lot in an "E" District. Art. 4, Sec. 15, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 98 ft. and a depth of 100 ft. It is proposed to maintain the five 2-story, class 3 construction one-family dwellings (with one car garages in cellar story) which have been erected on the plot without the required (in an "E" area district) side yards, and also, occupying more than 30 per cent of the lot at a height of over 18 feet, the existing occupancy is 34 per cent of the lot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant has substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the buildings to be constructed as proposed, *on condition* that they shall not be increased in height or area, further than as shown on plans filed with the borough superintendent; that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved completed, within one year from the date of this resolution.

Adjourned, 1:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 16, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

1037-22-BZ.

APPLICANT—H. L. Brandt, for John M. Lee, owner.

SUBJECT—Application for consideration—reopening and extension of time—time having expired by limitation—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district, the alteration and conversion of occupancy of part of an existing garage for more than five (5) motor vehicles, previously granted by the Board, so as to include a motor vehicle repair shop.

PREMISES AFFECTED—4085 Tenth avenue and 433-439 West 218th street, northeast corner, and 5108 Broadway, (Block No. 2214, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant H. L. Brandt.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1037-22-BZ)

WHEREAS, this application, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a one story garage for more than five motor vehicles with stores on the southwest portion, having a frontage of 50 ft. on West 218th street and 126 ft. on Tenth avenue, affecting premises: 4085 Tenth avenue, 433-439 West 218th street, northeast corner and 5108 Broadway (Block No. 2214, Lot No. 1), Borough of Manhattan, was granted by the board November 21, 1922; and

WHEREAS, H. L. Brandt, for John M. Lee, owner, requested a reopening of the case and the alteration and conversion of these stores to a motor vehicle repair shop; and

WHEREAS, this application was reopened and the request for amendment granted June 27, 1939; and

WHEREAS, owner, now requests an extension of time to obtain permits and complete the work;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 27, 1939, only so far as it refers to obtaining permits and completion of the work, so that, in view of the statement by applicant that the work has been completed but not within the time stated by the Board, that portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within three months from the date of this amended resolution."

185-33-BZ.

APPLICANT—William Richter, for Sadie Teitelbaum, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the maintenance of an automobile wrecking and junk storage yard, for a temporary period.

PREMISES AFFECTED—2284-2296 West 8th street and 129-143 Avenue "W" northwest corner, (Block No. 7142, Lot Nos. 48 and 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Richter.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(185-33-BZ)

WHEREAS, William Richter, for Sadie Teitelbaum, owner, filed May 15, 1933, an application under the building zone resolution to permit in a business district and partly in a residence district, an automobile wrecking and junk storage yard; premises: 2284-2296 West 8th street and 129-143 Avenue W, northwest corner (Block No. 7142, Lot, Nos. 48 and 53), Borough of Brooklyn; and

WHEREAS, this application was granted by the board January 16, 1934, under section 21 of the building zone resolution, for a temporary period of two years; time extended February 4, 1936, and February 8, 1938; and

WHEREAS, the applicant requested a further extension of the two year period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on January

MINUTES

16, 1934, as amended February 4, 1936, and February 8, 1938 only so far as it has reference to term of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, permitting the plot under appeal to be used for the wrecking of automobiles and the storage of second-hand automobile parts and second-hand plumbing supplies for a period of *two years* from the date of this amended resolution, *on condition* that the entire plot shall be enclosed in a board fence on all sides and that no addition building shall be erected on the property other than the frame shed and the one-story, galvanized iron structure, now in existence as indicated on plans filed with this appeal."

846-39-BZ.

APPLICANT—Amend and Amend, for Central Savings Bank in the City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—South side of East 162nd street, 100 ft. west of Sheridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx.

APPEARANCES—

For Applicant: David J. Bannon, Jr.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(846-39-BZ)

WHEREAS, Amend and Amend, for Central Savings Bank in the City of New York, owner, filed June 23, 1939, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: South side of East 162nd street, 100 ft. west of Sheridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx; and

WHEREAS, this application was granted by the Board October 31, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 31, 1939, only so far as it pertains to the obtaining of permits and completion of the work, so that as amended this part of the resolution shall read:

"That all permits required shall be obtained and all work involved completed within six months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201

East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: David L. Minkoff.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to February 14, 1940, 2 P.M., pending outcome of decision by court.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Owner of Adjacent Premises: Nicholas Walsh.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to February 14, 1940, 2 P.M., pending outcome of decision by court.

1052-39-A.

APPLICANT—George Goldberg, for Boardwalk and Seashore Corporation, owner.

SUBJECT—Application reopened and restored to calendar November 28, 1939—re Appeal from a decision of the borough superintendent of buildings (previously dismissed for lack of prosecution).

PREMISES AFFECTED—Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: William Gold.

For Opposition: Harold Klorfein, Park Department.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 19, 1940, 10 A.M., for further discussion by the Board.

1471-39-A.

APPLICANT—Maxwell M. Flamm, for Louis E. Hamburg and Vinnie Hyams, owners (Joseph DiMarco, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—99 West Ninth street, north side, 112 ft. east of Henry street (Block No. 536, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Berkowitz.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., for inspection by a committee of the Board.

1510-39-A.

APPLICANT—Ernest J. Pirman, for Ilsley Doubleday and Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—56-14 Nurge avenue, south side, 135 ft. east of 56th avenue (Block No. 2643,

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Lot No. 34), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., on request of appellant. Appellant to be notified.

1525-39-A.

APPLICANT—Liberty Camera Shoppe for Central Properties, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—81 Vesey street, southeast corner of Washington street (Block No. 83, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Schwam.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., for inspection by Fire Department inspector.

1527-39-A.

APPLICANT—Simeon Heller, for Tillson's Amber Lantern, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—150-24 Northern boulevard, southwest corner of 150th place (Block No. 5032, Lot Nos. 24 and 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Simeon Heller.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., for inspection by a committee of the Board.

1533-39-A.

APPLICANT—Herman Blum, for Cooperdale Dairy Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851, Lot No. 51), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Herman Blum.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to February 14, 1940, 2 P.M., pending action by Building Department on issuance of certificate of qualification.

1540-39-A.

APPLICANT—L. B. Santangelo, for Estate of Joseph L. Bittenwieser, owner (Clarence Bittenwieser, Executor).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., on written request of applicant.

9-40-A.

APPLICANT—Susanna Geraghty, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—159-49 Whitestone street, east

side, 70 ft. north of Academy street (Block No. 3979, Lot No. 355), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Susanna Geraghty.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., for further consideration by the Board.

44-40-A.

APPLICANT—Sylvan Bien, for 735 Park Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—735 Park avenue and 101-113 East 71st street, northeast corner (Block No. 1406, Lot Nos. 1-6, inclusive, and Lot No. 6½), Borough of Manhattan.

APPEARANCES—

For Applicant: Denning Miller, Charles H. Nichols, Jr., Walter H. Weiskopf and John W. Pickworth.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1940, 2 P.M., for further consideration.

792-39-A-WF.

APPLICANT—Rosario Candela, for Regency Park, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—139-01 Union Turnpike, north side, 50 ft. west of Vleigh place (Block No. 6631, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Sage and Blum and Assistant Chief Walsh 4
Negative 0

19-40-A.

APPLICANT—Elwyn E. Seelye and Company, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of Parsons boulevard, between Goethals avenue and 82nd drive (Block No. 6858, Lot No. 3), Jamaica, Borough of Queens (Triboro Hospital).

APPEARANCES—

For Applicant: Elwyn E. Seelye.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1298-39-A.

APPLICANT—Max Schaffer Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—361 Stagg street and 195 Morgan avenue, northwest corner (Block No. 3029, Lot No. 65), Borough of Brooklyn.

APPEARANCES—

For Applicant: Isidore M. Schaffer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1298-39-A)

WHEREAS, Max Schaffer Company, owner, filed October 19, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises: 361 Stagg street and 195 Morgan avenue, northwest corner (Block No. 3029, Lot No. 65), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, 79918-LC, dated May 19, 1939, reads:

"7. Discontinue the maintenance of any open flames within floor area where spray coating is carried on or separate said open flames or sparking device (gas heated water and steam boiler) by partitions constructed of fireproof or fire-resisting material. Rule C.1.8-a Spray Rules."

and

WHEREAS, said order was referred to in a decision dated October 16, 1939; and

WHEREAS, the building is four stories (61 ft.) in height, 225 ft. by 94 ft., and 214 ft. by 89 ft. in area, of brick construction, located in an unrestricted use A area 1½ times height district; occupied: cellar, heating plant, 2 persons; 1st floor, manufacture of toys, 55 persons; 2nd floor, manufacture of pajamas, 70 persons; 3rd floor, manufacture of store fixtures, 25 persons; 4th floor, manufacture of lighting fixtures, 20 persons; 4th floor, manufacture of ladies' coats, 50 persons; and

WHEREAS, the applicant contends the open flame as shown on plans at point marked "A" is being removed and replaced with an electric soldering pot; that the open flame on the steam boiler shown on plans at point marked "B" cannot be removed, but that it is more than 45 ft. from the spraying space.

Resolved, that the order of the fire commissioner, No. 79918-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item 7, on condition that the soldering pot shown on plans filed with this appeal, marked "A", shall be removed and a soldering pot of the electric type shall be substituted, provided such equipment is so arranged that the heating element is enclosed in the steel or cast iron jacket of such device; that the melting pot shown adjacent to the fire escape at the east shall be removed; that the steam boiler "B" shall be of cast iron type, in which the gas flame is entirely within the boiler; that no other device having open flames or open electric element shall be located within 40 ft. of the spray booth; that the windows to the outer air shall be so arranged as to be easily openable at all times; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto and shall be maintained to the satisfaction of the fire commissioner.

1398-39-A.

APPLICANT—Henry J. Rind, for Allerton Realty Company, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—300-304 West 22nd street and 231-235 Eighth avenue, southwest corner (Block No. 745, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry J. Rind.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1398-39-A)

WHEREAS, Henry J. Rind, for Allerton Realty Company, Inc., owner, filed November 15, 1939, an appeal from a decision—re order of the fire commissioner, affecting premises: 300-304 West 22nd street and 231-235 Eighth avenue (Block No. 745, Lot No. 40), Borough of Manhattan; and

WHEREAS, the decision—re order of the fire commissioner, No. 4922-LF, dated September 26, 1939, reads:

"Provide telegraphic communication with Fire Department Headquarters, as provided for by the Administrative Code, Section 487e-2.0-b. Chap. 19."

and

WHEREAS, said order was referred to in decision dated October 31, 1939; and

WHEREAS, the building is five stories (80 ft.) in height, 100 by 60 ft. in area, of brick, concrete and steel construction, erected in 1911, located in a retail use district; occupied: cellar, boiler room, storage; 1st floor, lobby, office and furnished apartments, 25 persons; 2nd floor, furnished apartments, 25 persons; 3rd floor, furnished apartments, 25 persons; 4th floor, furnished apartments, 25 persons; 5th floor, furnished apartments, 25 persons; pent house, 1 person; and

WHEREAS, applicant contends that the building is equipped with an interior fire alarm system, approved watchman's clock system, and telephone switchboard with an operator in attendance, and two coin type telephones; that a fire alarm box is located at the southeast corner of Eighth avenue and 21st street.

Resolved, that the order of the fire commissioner, No. 4922-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the fire alarm system and watchman's clock system shall be maintained to the satisfaction of the fire commissioner; that the telephone switchboard with operator in attendance shall be maintained at all times, together with two coin type telephones; that a sign shall be posted at the switchboard directing attention to the location of the fire alarm boxes at Eighth avenue and 21st street, and Eighth avenue and 23rd street, together with the telephone numbers of the Fire Department and Police Department headquarters; that the building shall in all other respects comply with all laws, rules and regulations applicable thereto.

1401-39-A.

APPLICANT—Teresa Mormando, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—180 South street, west side, 140 ft. south of Roosevelt avenue (Block No. 110, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Annette Mormando.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

MINUTES

THE RESOLUTION—

(1401-39-A)

WHEREAS, Teresa Morimando, owner, filed November 13, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises: 180 South street, west side, 140 ft. northeast of Roosevelt street (Block No. 110, Lot No. 14), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 18864-LC, dated September 7, 1939, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system. Sec. C-19-149.0, C-4, Art. 26, Administrative Code.

It is unlawful to continue the storage of combustible fibre without a permit."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated October 26, 1939; and

WHEREAS, the building is four stories (75 ft.) in height, 23 ft. by 71 ft. in area, of non-fireproof construction, located in an unrestricted use "A" area district, erected about 1890, and occupied: 1st floor, storing waste paper, no persons; 2nd floor, packing waste paper, 1 to 5 persons; 3rd floor, storing waste paper, no persons; 4th floor, storing waste paper, no persons, for which Certificate of Occupancy No. 6191-1923 was issued on April 30, 1923; and

WHEREAS, the applicant contends that the building has been occupied by the owner and her family, exclusively, in conducting the business of packing and storing waste paper for over twenty-five years; that the building can only be utilized for this purpose; that the revenue derived from the conduct of this business is so small as to make it practically impossible for the owner to attempt the cost of installing a sprinkler system at this time; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner be and it hereby is affirmed, and that the appeal be and it hereby is denied.

1414-39-A.

APPLICANT—Hardy Metal Specialties, Inc. (lessee), for Thames Trading Company, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—331-353 McKibben street, northwest corner of Bogart street (Block No. 3083, Lot No. 30), Borough of Brooklyn (second floor).

APPEARANCES—

For Applicant: Sidney Klotz.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1414-39-A)

WHEREAS, Hardy Metal Specialties, Inc., lessee, for Thames Trading Company, Inc., owner, filed November 15, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises: 331-353 McKibben street, northwest corner of Bogart street (Block No. 3083, Lot No. 30), Borough of Brooklyn (second floor); and

WHEREAS, the order of the fire commissioner, No. 80162-LC, dated June 7, 1939, reads:

"You are hereby notified that an inspection of the above premises used to store lacquers, etc., shows that the following must be done before the permit requested by you can be issued.

5. Discontinue the maintenance of any open flames

(baking oven) within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8-a, Spray Rules."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated October 16, 1939; and

WHEREAS, the building is four stories and basement (55 ft.) in height, 180 ft. by 90 ft. in area, of Class 3 construction, located in an unrestricted use district, erected in 1929, and occupied: 1st floor, manufacture of paper boxes, 75 persons; 2nd floor, metal frames and novelties, 75 persons; 3rd floor, manufacture of shoes, 75 persons; 4th floor, Evangelist, 75 persons. It is proposed to occupy the fourth floor for the manufacture of men's coats, 75 persons. Certificate of Occupancy No. 84580, issued October 21, 1937, permits the use of the building for factory purposes with an occupancy of 75 persons per floor; and

WHEREAS, the applicant contends that the spray coating and lacquer department is completely enclosed with partitions of No. 22 gauge metal from floor to ceiling, and the baking oven is approximately 38 ft. from the spray coating and lacquer room, and that the blow torches are approximately 19 ft. from said spray room; that the installation of partitions, as required by the order, would cause a temporary cessation of operations; that it is now in the height of its season, and that the spraying and lacquer department are operating eighteen hours a day.

Resolved, that the order of the fire commissioner, No. 80162-LC, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the enclosure around the baking oven shall be maintained from floor to ceiling; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that the vent to the outside air shall be extended so that it exhausts at a point not nearer than 10 ft. to the fire escape or any window; that the sprinkler head in the lacquering oven shall be maintained so as to be capable of operation at all times; that such portable fire-fighting appliances shall be installed as the commissioner shall direct, and that the lighting fixtures and switches shall be as approved for explosive atmospheres.

1467-39-A

APPLICANT—Seymour M. Liebowitz, for Nabru Associates, Inc., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED — 135-139 West 26th street, north side, 375 ft. west of Sixth avenue (Block No. 802, Lot. No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Seymour M. Liebowitz, and Irving Finkelstein.

For Administration: Inspector Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1467-39-A)

WHEREAS, Seymour H. Liebowitz, for Nabru Associates, Inc., owner, filed December 1, 1939, an appeal from a decision re an order of the fire commissioner, affecting premises, 135-139 West 26th street (Block No. 802, Lot No. 19), Borough of Manhattan; and

WHEREAS, Order No. 5551 LF, issued by the Fire Commissioner, September 7, 1939, reads:

"Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply,

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arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated November 10, 1939; and

WHEREAS, the building is 12 stories, (150 ft.) in height, 50 ft. by 88 ft. in area, of fireproof construction, erected in 1909, and located in an unrestricted use 1½ times height, B area district; occupied: cellar, storage and boiler room; 1st floor, store for fur sales, 7 persons; 2nd floor, mfg. of binding and trimming, 8 persons; 3rd floor, salesroom metal lamps, 10 persons; 4th floor, sales and mfg. of picture frames, 25 persons; 5th floor, manufacture of frames, 18 persons; 6th floor, mfg. of cords and braids, 8 persons; 7th floor, mfg. millinery and felt bodies, 10 persons; 8th floor, mfg. dresses, 5-50 persons; 9th floor, mfg. of ladies coats, 15 persons; 10th floor, mfg. of ladies coats, 35 persons; 11th floor, mfg. bathing suits and wearing apparel, 68 persons; 12th floor, vacant; and

WHEREAS, applicant contends that the boiler room is enclosed with fireproof partitions; that the cellar is used for the storage of raw furs during the winter months, no employees working therein; that there is a standpipe outlet in the cellar; that it would be a hardship on the owner to be compelled to comply with the order; the building is in arrears of taxes and interest; that at the present time, the mortgagee holds an assignment of the rents; that the standpipe gives adequate protection for the cellar.

Resolved, that the order of the fire commissioner, No. 5551-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the sprinkler system shall be installed throughout the cellar, except for the motor room and boiler room, which system shall comply with all requirements of the Board of Standards and Appeals therefor, except that the water supply may be taken from the domestic water supply of the building, provided such supply is at least 2 inches in diameter; that a single siamese connection to such sprinkler system shall be installed at the building line; that the stairway from the cellar to the 1st floor shall be enclosed with terra cotta block partition, not less than 4 in. in thickness, with fireproof self-closing door at the foot; that any trap door between the cellar and the first floor shall be kept permanently closed.

1495-39-A.

APPLICANT—Paul Schultz for Vincent Estates, Inc., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2305 Twelfth avenue, east side, 30 ft. north of West 131st street (Block No. 1998, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Schultz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1495-39-A)

WHEREAS, Paul Schultz, for Vincent Estates, Inc., owner, filed December 12, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises, 2305 Twelfth avenue, east side, 30 ft. north of West 131st street, (Block No. 1998, Lot No. 3), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings in acting on N.B. App. No. 213-39, dated January 10, 1940, reads:

"14. Contrary to 2.4.1.4.8 B. Code to construct a marquee on this building which is not specified in the code for marquees. Marquee should be 2' 0" from curb line also not more than 2' 6" beyond each side of the main entrance to the 1st floor."

and

WHEREAS, the building is 2 stories, (22 ft. 6 in.) in height, 69 ft. by 100 ft. in area, of Class 1 construction, located in an unrestricted use "A" area district, and occupied: 1st floor, storage and handling of meat, 14 persons; 2nd floor, offices, 8 persons; and

WHEREAS, the applicant contends the building will be devoted exclusively to the storing and handling of meat, poultry, butter and eggs; that a marquee is essential to protect this merchandise from the elements; that both sides of 12th avenue are occupied exclusively by buildings storing and handling similar products, with marquees from building to curb; that there are large steel supports for the Riverside Drive Viaduct existing on the curb line, one of which occurs just off the center line of the proposed marquee, which is intended to be framed around this pier, as shown on plans filed herein; that it will be a hardship if the owner were compelled to conduct this business without the marquee proposed.

Resolved, that the decision of the acting borough superintendent on N.B. Applic. No. 213-39, Objection No. 14, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*; that the marquee shall not be constructed on a greater area than as shown on plans filed; and, *granted* only so long as the building is occupied as proposed; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1499-39-A.

APPLICANT—Kerr and Kerr for Antonio Garone, owner, (Charles Luciano, lessee).

SUBJECT—Appeal from an order of the fire commissioner PREMISES AFFECTED—46 Maujer street, south side, 25 ft. west of Lorimer street, (Block No. 2791, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Brody.

For Administration: Inspector Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1499-39-A)

WHEREAS, Kerr and Kerr (Charles Luciano, lessee), for Antonio Garone, owner, filed on December 13, 1939, an appeal from an order of the fire commissioner, affecting premises 46 Maujer street, south side, 25 ft. west of Lorimer street, (Block No. 2791, Lot No. 27), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 81537-LC, dated November 14, 1939, reads:

"You are hereby notified that an inspection of the above premises, used to store rags and paper, shows that the following must be done before the permit requested by you can be issued:

1. Provide a separate and distinct system of automatic sprinklers throughout the building, having at least one source of water supply, arranged and equipped as provided in Article 16, Chapter 26, Adm. Code."

and

WHEREAS, the building is 3 stories, (40 ft.) in height, 25 ft. by 57 ft. in area; of Class 4 Construction; located in a business use, B area, district; erected prior to 1900 and occupied: 1st floor, storage of paper rags, ½ ton of which is loose; 2nd floor, storage of same, 2 tons of which

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are baled, ½ ton loose, 2 persons throughout the building; 3rd floor, vacant; and

WHEREAS, the applicant contends that the building has been used for paper and rag storage and handling for approximately 40 years; that the fire department permit allows 5 tons of paper and 10 tons of rags; that the order is due to the resolution of the Board of Hazardous Trades adopted June 30th; that for all practical purposes the building can be considered as only two stories in height, since the third story is unoccupied at present.

Resolved, that the order of the fire commissioner, No. 81537-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the 3rd floor shall remain vacant; that there shall at no time be more than one-half ton of loose paper or rags on either the 1st floor or the 2nd floor; that any trap door in the floors shall be arranged with fusible link so as to close in the event of fire; that such portable fire-fighting appliances shall be installed and maintained as the fire commissioner shall direct.

1502-39-A.

APPLICANT—Lester H. Maxon for Hollis Hills, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 79-39 Oceania street, east side, 400.02 ft. south of Richland avenue, (Block No. 7766, part of Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Lester H. Maxon.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1502-39-A)

WHEREAS, Lester H. Maxon, for Hollis Hills, Inc., owner, filed December 14, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 79-39 Oceania street, east side, 400.02 ft. south of Richland avenue, (Block No. 7766, part of Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 9737, dated December 1, 1939, reads:

"Erecting frame residence in fire limits contrary to Art. 5, Sub. Art. 1, Sec. 4.1.2. Not further examined."

WHEREAS, the proposed building will be two stories and cellar, (25 ft.) in height, 25 ft. by 26 ft. in area, on a plot 40 ft. by 100 ft., of frame construction, located in a business and residence use "D" area district, and occupied as a one family dwelling; and

WHEREAS, the applicant contends that this is an outlying district which is being developed as a residential section; and that all construction in this vicinity consists of one or two family houses.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 9737-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*; that the proposed residence shall in all respects comply with the requirements of the Code for a building outside the fire limits, and shall be limited in occupancy to a single family only; that the side yard to the south shall not be less than 10 feet in width; that in the event the owner desires to build a garage at the rear of the premises as accessory to the residential building, such garage may be constructed of frame construction, provided it is not nearer than two feet to any lot line, and that any windows opening upon the lot line shall be fireproof and self-closing; that

the house shall be veneered with brick or other masonry up to the 1st story in height, and if a garage is constructed, it shall be of similar construction.

1513-39-A

APPLICANT—Edwin W. Kleinert for National Lead Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—136-146 Marshall street, south side, 150 ft. east of Gold street, (Block No. 12, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert, J. J. Lynch, and F. Jenks.

For Administration: Benjamin Saltzman, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savags and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1513-39-A)

WHEREAS, Edwin W. Kleinert, for National Lead Company, owner, filed December 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 136-146 Marshall street, south side, 150 ft. east of Gold street, (Block No. 12, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent in acting on Misc. Applic. 5686-39, dated December 11, 1939, reads:

"1. Proposal to install 3 new 30,000 gallon steel tanks in open yard set in reinforced concrete mat for the storage of linseed oil without the protection of concrete dike walls of a capacity equal to capacity of tanks is contrary to the Rules adopted by the Board of Standards and Appeals (R.6.3.2) of the F.O. Rules governing same.

"2. Provide an adequate fire extinguishing system for above installation."

and

WHEREAS, the premises consist of a plot 365 ft. by 165 ft. in area, located in an unrestricted use district, upon which there exists a group of one and two story fireproof buildings. It is proposed to install three 30 thousand gallon storage tanks for linseed oil, as shown on plans filed with this appeal; and

WHEREAS, applicant contends that linseed oil does not come within the scope of the oil burner rules of the Board, since it is not a petroleum derivative, and that it has a flash point of 600 degrees; that it is proposed to install the tanks adjacent to a blank wall, 5 feet higher than the tanks, on one side, and to a vacant yard seventy-two feet across on the other side; that there are 6 similar tanks located inside the fireproof building adjoining the location of the proposed tanks on the east.

Resolved, that the decision of the borough superintendent on Misc. Applic. 5686-39, Items 1 and 2, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*; that the proposed steel tanks for the storage of linseed oil shall comply with the requirements of the Oil Burner Rules of the Board of Standards and Appeals, only so far as the construction of the tanks is concerned, and that such fire-fighting extinguishing equipment shall be installed as the Fire Commissioner shall direct.

1514-39-A.

APPLICANT—Maurice Epstein for Man Dale Realty Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

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PREMISES AFFECTED—90-98 Flatbush avenue, west side, 110 ft. north of Schermerhorn street, (Block No. 174, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maurice Epstein and J. B. Friedman.

For Administration: Benjamin Saltzman, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1514-39-A)

WHEREAS, Maurice Epstein, for Man Dale Realty Co., Inc., owner, filed December 15, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 90-98 Flatbush avenue, west side, 110 ft. north of Schermerhorn street, (Block No. 174, Lot No. 18), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Applic. No. 7403-38, dated December 6, 1939, reads:

"1. Non-fireproof building over 20 ft. in height and over 5000 sq. ft. in area whose occupancy changed from business to public use, is contrary to 2.1.3.5 and 4.2.1 of Building Code.

"2. Exits inadequate for number of people as figured by area, see Art. 7, of Building Code."

and

WHEREAS, the building is three stories, (40 ft) in height, 111.7 ft. by 121 ft., irregular in area, of brick construction, located in a business use "B" area district, erected in 1928, and occupied: cellar, storage, boiler room, bowling alley, billiard room, 100 persons; 1st floor, stores, 120 persons; 2nd floor, offices, 120 persons; 3rd floor bowling alley and billiard room, 120 persons; for which certificate of occupancy No. 65908 was issued on November 13, 1931. It is now proposed to use the second floor for meeting rooms in addition to the offices; and

WHEREAS, applicant contends that at the time the building was acquired, the second floor was used for public occupancy, having been a miniature golf course; that since many changes were made in the building without violations having been placed on it, it was assumed that it was being legally used; that this floor was altered and is now used in part as executive offices of the Transport Workers Union, who on occasion hold meetings; that the building has wide corridors and stairs to take care of the number of people congregated in this space, at any time; that each of the stairs lead to a separate street.

Resolved, that the decision of the borough superintendent, acting on Applic. No. 7403-38, Objections 1 and 2, be and it hereby is *modified*, and that the appeal, be and it hereby is *granted on condition*, that the building shall not be increased in height or area; that the exits shall not be reduced; that the occupancy of the building shall comply with the Certificate of Occupancy No. 65908, issued November 13, 1931, except that the second floor may be used for offices and meeting rooms, provided the total occupancy of the second floor at no time exceeds 150 persons; that in all other respects, all laws, rules and regulations applicable to the building and occupancy shall be complied with.

1528-39-A.

APPLICANT—Simeon Heller for Morey Machinery Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4-21 26th avenue, north side, 200.19 ft. east of Perrot place, (Block No. 907, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Simeon Heller.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1528-39-A)

WHEREAS, Simeon Heller, for Morey Machinery Co., Inc., owner, filed December 21, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 4-21 26th avenue, north side, 200.19 ft. east of Perrot place, (Block No. 907, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 10125-39, dated December 18, 1939, reads:

"1. The erection of a class 5 building in excess of 15,000 sq. ft. in area of 30 ft. 0 in. in height is contrary to the Building Code, (Sec. 4.2.1).

"Not further considered."

and

WHEREAS, the proposed building will be one story, (44 ft.) in height, 66 ft. 7 in. by 306 ft. 17 in., in area, of class 5 construction, located in an unrestricted use "A" area district, and will be occupied as a factory and for storage of machinery; and

WHEREAS, the applicant contends that the proposed building will be an enclosure for a 25-ton crane now existing on the site, enclosed in a wooden super-structure; that the height of the crane rail is 22 ft.; the additional height of the structure up to 44 ft. as proposed, is required for clearing the top of the crane and truss which roofs it; that if this application is not granted, and the building not constructed as proposed, it will be necessary to unload from this crane to a truck, carry machinery past the obstructing wall and to re-load to a new crane on the other side; that this would create an undue hardship on the owner.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 10125-39, be and it hereby is *granted*, as to Objection No. 1, *on condition*, that the building shall not be further increased in height or area; and *granted* only so long as the building is used for the purpose as herein set forth, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

6-40-A.

APPLICANT—Albert Kaufman for Thelbar Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—48-62 Westminster road, west side, 102 ft. north of Church avenue, (Block No. 5072, Lot Nos. 25, 26, 28 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(6-40-A)

WHEREAS, Albert Kaufman, for Thelbar Realty Co., Inc., owner, filed January 4, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises,

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48-62 Westminster road, west side, 102 ft. north of Church avenue, (Block No. 5072, Lot Nos. 25, 26, 28 and 29), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Amdt. Applic. N.B. 2600-39, dated December 28, 1939, reads:

"1. 'Ecod' lath is approved only as a substitute for combustible lath, and, therefore, it is unlawful to apply same on wood studs more than 2 stories in advance of the scratch coat plastering, Sec. 8.4.10.2, Code.

"Above application is hereby denied."

and

WHEREAS, the building will be six stories, (63 ft.) in height, 145 ft. by 84 ft. 6 in., in area, of class 3 construction, located in a residence use, "C" area district and occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant contends that it is proposed to use Reynolds Flameproof Ecod Lath throughout the building without interruption, and to omit the horizontal V ribs as required under the Boards resolution, Cal. No. 714-38-SM.

Resolved, that the decision of the borough superintendent, on N.B. Applic. 2600-39, acting on amendment to said application, Objection No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*; that such laths shall comply with the requirements of the Board of Standards and Appeals, under the general approval of Ecod lath granted under Cal. No. 714-38-SM, as a substitute for combustible lath, except that in this specific case, the provisions may be omitted in the reinforcing strips and that the integral backing shall be of approved paper, flameproofed in accordance with the requirements of the Board.

14-40-A.

APPLICANT—S. Millman and Son, for Isaac Boass, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—486 Pennsylvania avenue, west side, 192 ft. 2 in. north of Livonia avenue, (Block No. 3805, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT:

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(14-40-A)

WHEREAS, S. Millman and Son, for Isaac Boass, owner, filed January 5, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises, 486 Pennsylvania avenue, west side, 192 ft. 2 in. north of Livonia avenue, (Block No. 3805, Lot No. 38), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 5319-39, dated January 2, 1940, reads:

"8. As multiple dwelling exceeds two stories in height fire escapes are required from each apartment above the ground floor or a sprinkler system in public halls is required. Sec. 187."

and

WHEREAS, the building is two stories and basement, (26 ft.) in height, 20 ft. 6 in. by 64 ft. in area, of class 3 construction, located in a business "C" area district, erected in 1921 and occupied: basement, general storage; 1st floor, doctors office and one family, 4 persons; 2nd floor, one family. It is proposed to occupy the 2nd floor for two families; and

WHEREAS, the applicant contends that the second floor apartment has been vacant for some time; that to install a sprinkler system would cause a hardship; that to install

a fire escape would mar the front of the building and interfere with the necessary good appearance required for occupancy by a doctor, the son of the owner, and would spoil the general appearance of the entire group of houses, of which the building in question is one; and

WHEREAS, this application is for a variation of the Multiple Dwelling Law, which no agency or the Board may vary as to the modification requested:

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 5319-39 be and it hereby is *affirmed* and that the appeal and it hereby is *denied*.

16-40-A.

APPLICANT—William W. Knowles, for North Shore Bus Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-18 South road, south side, 110.72 ft. east of 165th street, (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William W. Knowles.

For Administration: Joseph Ferro, Dept of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(16-40-A)

WHEREAS, William W. Knowles, for North Shore Bus Co., Inc., owner, filed January 5, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 165-18 South road, south side, 110.72 ft. east of 165th Street (Block No. 10164 Lot No. 46), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on New Building 6809-39, dated January 4, 1940, reads:

"The area of building is over ten thousand square feet of net floor area and 2 stories high. Provide a standpipe and hydrant system as per Sec. 16.1.1. N.Y. B. Code."

and

WHEREAS, the building will be 2 stories, (32 ft.) in height, 100 ft. by 640 ft. in area, of Class 1 construction, equipped with a sprinkler system, and located in an unrestricted use "D" area district; and

WHEREAS, the applicant contends that in addition to the sprinkler system there will be installed one 40 gallon Foamite portable fire extinguisher, and as many 2½ gallon fire extinguishers as may be required by the fire commissioner.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 6809-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*; that the sprinkler system, complying with the requirements of the Building Code therefor, shall be maintained throughout the building, and that the supply thereto shall be fed with separate mains from two streets; that at least two 40 gallon foam fire extinguishers shall be maintained and such additional fire-fighting appliances as the fire commissioner shall require; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, as amended under Cal. No. 1053-39-A.

22-40-A.

APPLICANT—Arthur F. Winter, for Woodlawn Cemetery, owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1244 Fulton street, south side.

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300 ft. west of Nostrand avenue (Block No. 1860, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(22-40-A)

WHEREAS, Arthur F. Winter, for Woodlawn Cemetery, owner, filed on January 8, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises, 1244 Fulton street, south side, 300 ft. west of Nostrand avenue, (Block No. 1860, Lot No. 37), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 3032 L.F., issued October 6, 1939, reads:

"1. Provide a separate and distinct system of automatic sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Art. 16, Admin. Code."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated January 4th, 1940; and

WHEREAS, the building is non-fireproof, one story and mezzanine in height, 50 ft. by 100 ft. in area; erected in 1935; located in a business use, "C" area district; for which Certificate of Occupancy No. 76355 was issued for store use on 1st floor and office on mezzanine; present occupancy the same, with 49 persons on 1st floor, 10 persons on mezzanine; and

WHEREAS, the applicant contends there is a fireproof enclosed stairway leading from the basement to the rear of the 1st floor; equipped with fireproof self-closing doors on 1st floor and basement levels; that there is also a fireproof enclosed stairway terminating on the left side of the 1st floor near the center of the building, with self-closing fireproof door to the basement; that there is a sidewalk freight elevator with a pair of sidewalk doors, giving access to the street, that in addition there are ventilating openings in the show window bulkheads; that the stock room where baled paper is stored is of fireproof construction; that the boiler room is separated from the balance of the building by fireproof construction; that the merchandise carried is common to the 5 and 10c store occupancy; that the basement ceiling is fire-retarded; and basement partitions are fireproof.

Resolved, that the order of the fire commissioner, No. 3032 L.F. be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*, that there shall be installed throughout the cellar, except in the boiler room, a non-automatic sprinkler system, complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be space 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under the Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

25-40-A.

APPLICANT — Albert Kaufman, for Harry Parnes, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—83-02 Cornish street, northeast corner of Poeyer street, (Block No. 1544, Lot Nos. 1, 3, 4, 6, 7 and 9), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Benjamin Saltzman, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(25-40-A)

WHEREAS, Albert Kaufman, for Harry Parnes, owner, filed January 8, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises, 83-02 Cornish street, northeast corner of Poeyer street, (Block No. 1544, Lot Nos. 1, 3, 4, 6, 7 and 9), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. 7391-39, dated January 8, 1940, reads:

"The omission of perforations on horizontal V ribs of Ecod plain flameproof lath and its application on 2 x 3 studs is contrary to the approval of the Board of Standards and Appeals under Cal. No. 714-38-SM.

"Installation of Ecod plain flameproof lath more than 2 stories in advance of scratch coat is contrary to Section C-26-458a of the Adm. Code."

and

WHEREAS, the proposed building will be 6 stories, (63 ft.) in height, 145 ft. 8 in. by 84 ft. 6 in. in area, of class 3 construction, located in a residence use "C" area district, and to be occupied throughout as a class A multiple dwelling; and

WHEREAS, the applicant contends that it is proposed to use Reynolds Flameproof Ecod Lath throughout the building without interruption in advance of the scratch coat, and to omit the horizontal V ribs recommended by the Board under Cal. No. 714-38-SM.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 7391-39, acting on amendment to said application, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*; that such laths shall comply with the requirements of the Board of Standards and Appeals under the general approval of Ecod lath granted under Cal. No. 714-38-SM, as a substitute for combustible lath, except that in this specific case the provisions may be omitted in the reinforcing strips, and that the integral backing shall be of approved paper, flameproofed in accordance with the requirements of the Board.

VARIATION OF LABOR LAW

1374-39-S.

APPLICANT—William F. Regan, for Pittsburgh Plate Glass Company, Inc., owner.

SUBJECT—Variation of the Labor Law, as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—310-312 Dean street and 77-81 Third avenue, southeast corner, (Block No. 198, Lot Nos. 7 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan.

For Administration: Benjamin Saltzman, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT:

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(1374-39-S)

WHEREAS, William F. Regan, for Pittsburgh Plate Glass Co., owner, filed on November 9, 1939, an application for a variation of the Labor Law, as cited in a decision of the borough superintendent, affecting premises, 310-312 Dean street and 77-81 3rd avenue, southeast corner, (Block No. 198, Lot Nos. 7 and 10), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 9, 1939, re Alt. Applic. No. 3839-39, reads:

"7. Provide direct exit to street from stair enclosure on 1st floor. Sec. 271.1c of Labor Law.

"9. Doors leading to stair enclosure to swing in line of egress, Sec. 271.3 of Labor Law."

and

WHEREAS, the existing building is one and four stories, (12 ft.) and (47 ft.) in height, 78 ft. 8 in. by 74 ft. 11 in. in area, of non-fireproof construction, erected in 1860, located in an unrestricted use, B area, district, occupied: cellar, storage, 2 persons; 1st floor, factory, 8 persons; 2nd floor, same; proposed use: cellar, storage, 2 persons; 1st and 2nd floors, factory, 8 persons per floor; 3rd and 4th floors, factory, 10 persons per floor; and

WHEREAS, the applicant contends that the stair enclosure consists of 20-inch brick walls on three sides, and a 16 in. brick wall on the east side, from cellar to floor to and above roof, with fireproof self-closing doors on each floor; that the stairway enclosure doors in cellar and 1st floor are 3 ft. 3 in. wide, sliding type, and on the 2nd, 3rd and 4th floors the doors swing in from the stairway; that there is an existing exit from the 2nd floor landing of stairway to the one-story roof of same premises, thence to an adjoining 2-story building approx. 50 feet distant; that the exit from the stair enclosure on 1st floor is 20 feet from the street exit in the north wall; that there is an additional exit provided in the west wall to street; that there are two horizontal exits to the 1-story extension of the building under appeal which lead through said building directly to street; that the windows in the east wall will be made fireproof; that doors leading from 2nd floor landing to roof of 1-story building adjoining, will be made fireproof and self-closing; that there is an existing fire-escape leading directly to the street; that it is proposed to install an additional iron stairway from cellar to street through an open area at west wall of building.

Resolved, that the decision of the borough superintendent as to Alt. Applic. No. 3839-39, Objections 7 and 9, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPLIANCE SUBMITTED FOR APPROVAL

400-32-SA.

APPLICANT—Perfection Stove Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re approval of additional Model No. 90—re Superflex Oil Burner Warm-Air Furnace, Models 101, 101E, 100, 100E, 200, 200E, 300 and 300E, (previously approved).

APPEARANCES—

For Applicant: R. A. Walls

ACTION OF BOARD—Application reopened and referred to committee for test and report.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

MATERIALS SUBMITTED FOR APPROVAL

811-39-SM.

APPLICANT—Treetex Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Evenaire Insulating Wallboard Lath (previously approved).

APPEARANCES—

For Applicant: Harry Pagel.

ACTION OF BOARD—Application reopened and referred to Committee for test and report.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

1107-39-SM.

APPLICANT—The Insulite Company, owner.

SUBJECT—Insulite Structural Insulation Board Products, (various trade names), approval of.

APPEARANCES—

For Applicant: G. W. Lott.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(1107-39-SM)

WHEREAS, The Insulite Company, owner, filed September 8, 1939, an application with the Board of Standards and Appeals for approval of the material known as Insulite Insulation Fibre Board; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the committee on tests reads:
REPORT OF COMMITTEE ON TESTS

January 8, 1940

Re: Cal. 1107-39-SM

Subject: Insulite Insulation Fibre Board.

The Insulite Company of Minneapolis, Minnesota, filed August 25, 1939, an application with the Board of Standards and Appeals for approval of the Insulite Insulation Fibre Board under the requirements of the Insulation Fibre Board Rules of the Board of Standards and Appeals.

Insulite Fibre Insulation Board is manufactured at International Falls, Minnesota, from selected debarked logs which have been reduced to fibres by a cold grinding process which leaves the fibres clean and durable, without extracting the preservative elements present in the wood in its natural state. The Insulite boards are manufactured from these wood fibres by a felting process. Additional chemicals are introduced as sizing and toxic agents, to give the boards added moisture resistance and durability. In manufacture the boards are subjected to sufficiently high drying temperatures to completely destroy rot producing fungi. No ingredients are added to the boards which have not been treated to be toxic to vermin.

This material is manufactured for uses, sizes and thicknesses as follows:

USES AND JOINTS

Building Board—Square

Width 4 ft. 0 in.

Length 4 ft. to 12 ft.

Thickness ½ in., ¾ in., 1 in.

NOTE: This group of products includes Ins-Lite and Graylite Building Boards.

Sheathing—Square and V-Joint Interlocking

Width 4 ft. 0 in.

(2 ft. in V-Joint)

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Length	8 ft. to 12 ft. (8 ft. in V-Joint)
Thickness	25/32 in.
Plaster Base—long edges shiplapped with 3 metal clips on one long edge, short edges square edged	
Width	18 in.
Length	48 in.
Thickness	½ in., ¾ in., 1 in.
Roof Insulation—Square and shiplapped	
Width	22 in.
Length	47 in.
Thickness	½ in., 1 in., 1½ in., & 2 in.
Ceiling Tile—Double bevel and butt and V-W Joint on 4 edges	
Width	12 in. to 24 in.
Length	12 in. to 48 in.
Thickness	½ in. and 1 in.

Fibre Insulation Board for use as a plaster base has a rough surface, resembling burlap, on one side and a plain surface on the unplastered side. When used as a sheathing material the board is manufactured under the Graylite Process which consists of adding a cold water asphalt emulsion to the fibres prior to the felting of the boards. The roof insulation may be made from either Ins-Lite or Graylite products. The building board and tile are identified by means of the finished surfaces having different textures, designs and colors.

Tests on these materials were made at the Laboratories of the University of Minnesota by Professor Frank B. Rowley for conformance with the requirements of Rule 1 of Rules for Insulating Fibre Board with results as follows:

BUILDING BOARD TEST (other than sheathing)

	Rule Requirements	Test Results	
		Ins-lite	Graylite
Thermal Conductivity — B.T.U. per hour per square ft. per degree F. per inch thickness.....	0.36 max.	0.347	0.360
Transverse Strength — pounds—lengthwise	14 min.	24.6	27.0
Transverse Strength — pounds—crosswise	12 min.	16.0	17.8
Minimum deflection at ultimate—inches	0.25 min.	0.44	0.39
Maximum deflection at ultimate load—inches ..	0.85 max.	0.57	0.62
Tensile Strength—pounds per square inch	175 min.	210	251
Water Absorption — percent.	5 max.	3.73	3.78
Linear Expansion — percent.	0.50 max.	0.10	0.142
Nail holding strength lb. *60 lb. min.		73.4 lb.	91.4 lb.

* For uses other than sheathing

BILDRITE SHEATHING BOARD TEST

	Rule Requirements	Test Results
Thermal Conductivity — B.T.U. per hour per square ft. per degree F. per inch thickness.....	0.36 max.	0.366
Transverse Strength — pounds—lengthwise	21.75 min.	56.9
Transverse Strength — pounds—crosswise	18.75 min.	43.1
Minimum deflection at ultimate load—inches	0.25 min.	0.31

Maximum deflection at ultimate load—inches ..	0.85 max.	0.47
Tensile Strength — pounds per square inch	175 min.	220
Water Absorption — percent.	5 max.	3.03
Linear Expansion — percent.	0.50 max.	0.125
Nail Holding strength lb. 100		150.3 lb.*

* See Columbia Report No. 2437 and report of Forest Products Lab. R1151 for additional data on racking test results on 23 panels tested.

PLASTER BASE TEST

	Rule Requirements	Test Results
Thermal Conductivity — B.T.U. per hour per square ft. per degree F. per inch thickness.....	0.36 max.	0.347
Transverse Strength — pounds—lengthwise	14 min.	24.6
Transverse Strength — pounds—crosswise	12 min.	16.0
Minimum deflection at ultimate load—inches	0.25 min.	0.44
Maximum deflection at ultimate load—inches ..	0.85 max.	0.57
Tensile Strength—pounds per square inch	175 min.	210
Water Absorption — percent.	5 max.	3.73
Linear Expansion — percent.	0.50 max.	0.10
Nail holding strength—lb. 70		73.4 lb.
Bond strength lb. per sq. ft. of bonded surface.. 700		1,527 lb.

ROOF INSULATION TEST

	Rule Requirements	Test Results	
		Ins-lite	Graylite
Thermal Conductivity — B.T.U. per hour per square ft. per degree F. per inch thickness.....	0.36 max.	0.347	0.360
Transverse Strength — pounds—lengthwise	7 min.	24.6	27
Transverse Strength — pounds—crosswise	7 min.	16.0	17.8
Minimum deflection at ultimate load—inches	0.25 max.	0.44	0.39
Maximum deflection at ultimate load—inches ..	1.25 max.	0.57	0.62
Tensile Strength—pounds per square inch	100 min.	210	251
Water Absorption — percent.	10 max.	3.73	3.78
Linear Expansion — percent.	0.50	0.100	0.142
Nail holding strength — lbs.	60	73.4	91.4

On the basis of the foregoing tests meeting the requirements of Rule 1, the Committee recommends the approval of Insulite Insulating Fibre Board in the sizes and thicknesses as specified herein for use in accordance with the requirements of Rule 2 of the Insulating Fibre Board Rules of the Board of Standards and Appeals when installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend, and that the use of each class of board shall be limited to the uses as prescribed herein. When used for sheathing, full length and width boards shall be used; over doorways and over and under windows vertical and horizontal 2" x 4"s. shall be provided so as to afford nailing bases along

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all edges of the board so used. This material is shipped in packages and each such container shall be marked, tagged or labelled as follows, with the use of each type of board indicated and in addition shall bear the following inscription: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1107-39-SM when installed under the requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Insulite Insulation Fibre Board on condition that the material be manufactured, used, and labelled, stamped or tagged in accordance with above report.

1328-39-SM.

APPLICANT—Limestone Products Corporation for, The Kelley Island Lime and Transport Company, owner.
SUBJECT—Tiger (White Rock) Brand Hydrated Finishing Lime, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1328-39-SM)

WHEREAS, The Kelley Island Lime and Transport Company, owner, filed October 27, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Tiger (White Rock) Brand Finishing Hydrated Lime; and

WHEREAS, this material was submitted to the committee on tests of the Board, for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 1328-39-SM.

Subject: Tiger Brand Hydrated Finishing Lime; approval of

The Kelley Island Lime and Transport Co., owner, filed October 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Tiger (White Rock) Brand Finishing Hydrated Lime, for use in the finish coat of plastered surfaces, under the provisions of Sec. C26-463.0 (8.4.10.7) and C26-312.0 (7.1.1.7.1) Administrative Building Code.

Tiger White Rock finish Hydrated Lime is made by the applicant at their plant located at White Rock, Ohio from White Rock, a pure dolomitic limestone. The rock is crushed and burned in Arnold kilns, at kiln temperature of 2000°F. for 12 hrs., after which the whitest rock is selected and then crushed. It is then treated at a mechanical hydrater after which it is stored. It is then passed into a pulverizer mill which completes the process by delivering a lime of a predetermined fineness; chemical tests are conducted to determine correct hydration.

A sample of this material was purchased in the open market and tested at the Chemical Laboratory of Columbia University, under the supervision of Prof. Lincoln T. Work, for compliance with the provisions of C26-312-0b (7.1.1.7.1) Administrative Building Code which requires that this material shall meet the requirements of C26-34T of A.S.T.M.

Chemical Analysis

Loss on Ignition.....	19.03%
Silica (SiO ₂)	.85%
Combined Oxides (R ₂ O ₃).....	.35%
Lime (CaO)	48.01%
Magnesia (MgO)	31.20%
Total	99.44%
Carbon Dioxide	.88%

Since the lime and magnesia on the ignited bases total over 95% and the Carbon Dioxide is low the sample passes the specifications.

Sieve Analysis

% on No. 30 Sieve	0.0	Under
% on No. 200 Sieve	6.5	

The sample passes specifications on the sieve test.

Calcium and Magnesium oxides	minimum
95% CO ₂ magnesium	7% residue
Plasticity (A.S.T.M. C-110-38-T)	344.8

The soundness and plasticity tests were performed by the R. W. Hunt Co. on samples furnished them by Columbia University with results as follows:

R. W. Hunt Report No. 18398

Plasticity Figure.....344.8 Required not less than 200

Soundness.....Satisfactory

The applicant has an extensive laboratory and conducts routine tests after each run. These tests include the investigation of limestone, quicklime and hydrated lime as to silica, alumina, Calcium, magnesium, insoluble matter, loss on ignition, phosphorus, manganese and lime. Tests are conducted periodically to check the quantity of carbon dioxide. With the regularity that these tests are conducted the committee is satisfied that a uniform product can be produced.

On the basis of the foregoing data the Committee recommends the approval of Tiger (White Rock) Finishing Hydrated Lime for approval under C26-312.0.b (7.1.1.7.1) and C26-463.0 (8.4.10.7) Administrative Building Code for use in the Finish Coats of plastered surface including the compliance with New York Plastering Law, known as law of 1911, Chapter 156. It is further recommended that each bag of this material shall be stamped, labelled or tagged, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1328-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Tiger (White Rock) Brand Finishing Hydrated Lime on condition that the material be manufactured, used, and labelled, stamped or tagged in accordance with above report.

1371-39-SM.

APPLICANT—George E. Strehan for American Bar Lock Company, Inc., owner.

SUBJECT—Algla Floor and Roof Construction in Steel Frame, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

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THE RESOLUTION—

(1371-39-SM)

WHEREAS, Geo. E. Strehan, Consulting Engineer for American Bar Lock Co., Inc., owner, filed November 8, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Alglas wire glass Floor and Roof Construction in steel frame; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 1371-39-SM

Subject: Alglas floor and roof construction in Steel Frame—approval of.

George E. Strehan for the American Bar Lock Co., Inc., owner, filed November 8, 1939, an application with the Board of Standards and Appeals for approval of the material known as Alglas wire glass Floor and Roof construction in steel frame, under the provisions of C26-626.0 (10.3.8), C26-368.0 (7.4.5), and C26-515.0 (8.6.2.3.1) Administrative Building Code.

This material was inspected and tested on December 28, 1939, at the plant of the Bar Lock Co., at 36-22 38th street, Long Island City. Present at this test was George E. Strehan, consulting engineer, and Commissioner Charles M. Blum and Chief Engineer L. V. Huber of the Board of Standards and Appeals.

DESCRIPTION—

The construction consists of a steel frame grid composed of a rolled flanged steel section 2-3/16" deep x 7/8" wide, spaced 85/8" on centers, and cross members of inverted curved-tee section 5/8" deep, 7/8" wide and 3/16" thick, also spaced 85/8" on centers, and are welded at the top of the main bars to form a square grid.

Wire glass plates, 8 1/4" x 8 1/4" x 9/16" are set in the grid, glazed with Alglas caulking compound to form an elastic, water tight and weatherproof cushion. The weight of the manufactured panel was determined as 11 lbs. per sq. ft.

The test was made on a clear span of 7' 0", the width of the specimen being 2' 10", supported on the steel flanges of 10" I beams. The total area under test was 20 sq. ft., 4 units in width by 10 units in length. Load was applied at the third-points, and center deflections were measured on both sides of the test specimen (Photo No. 2 filed with application).

TEST LOG

Load in Lbs.	Per Sq. Ft.	Deflections		Remarks
		N.	S.	
180	9	0	0	Failure by
2004	100	1/2	5/8	tension in
3623	181	1 1/4	1 1/2	steel with
5076	254	4	4	gradual in-
24 hrs. interval	254	4 1/8	4 1/4	creasing
Recovery after				deflection.
removal perman-				
ent set	0	2 5/8	2 3/4	

The total test load was left in place for 24 hours with an increase of approximately 1/4 inch in deflection permitting the load platform to bear on the supports. The computed section modulus of the supporting bars is 0.220. The safe test load exactly equals the computed supporting capacity.

On the basis of this inspection and test it is recommended that Alglas Floor and Roof Construction in Steel Frame as described in this report be approved for use under C26-515.0 (8.6.2.3.1) Administrative Building Code, in spans not exceeding 7 feet for a live load of 64 lbs. per sq. ft., and for longer spans with lighter loads or shorter spans with heavier loads.

The safe live load on the steel frame may be computed on
Section Modulus of supporting bar..... 0.220 inches
Extreme Fiber Stress 18,000 lbs. sq. in.
Spacing of bars 8 5/8 inches c.c.

Dead Load of Construction 11 lbs. per sq. ft.
Safe Live Load (Clear Span 7' 0")..... 64 lbs. per sq. ft.
(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Alglas wire glass Floor and Roof construction in steel frame, on condition that the material be manufactured, installed, and labelled stamped or tagged in accordance with above report.

1372-39-SM.

APPLICANT—George E. Strehan for American Bar Lock Company, Inc., owner.

SUBJECT—Alglas Vaculite Construction, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief
Walsh 4

Negative 0

THE RESOLUTION—

(1372-39-SM)

WHEREAS, George E. Strehan, Consulting Engineer, for American Bar Lock Co., Inc., owner, filed November 8, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Alglas Floor and Roof Construction with Vaculite Blocks in Aluminum frame; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 1372-39-SM

Subject: Alglas Vaculite Floor and Roof Construction—approval of

George E. Strehan for the American Bar Lock Co., Inc., owner, filed November 8, 1939, an application with the Board of Standards and Appeals for approval of the material known as Alglas Floor and Roof construction with Vaculite Blocks in Aluminum frame, under the provisions of C26-626.0 (10.3.8), C26-368.0 (7.4.5), and C26-515.0 (8.6.2.3.1) Administrative Building Code.

This material was inspected and tested at the plant of the Bar Lock Co. at 36-32 38th street, Long Island City. Present at the test was George E. Strehan, Consulting Engineer, the owner's representative, Commissioner Charles M. Blum and Chief Engineer L. V. Huber of the Board of Standards and Appeals.

The construction consists of an aluminum frame grid composed of supporting inverted tee-shaped bar members in the direction of the span, 2 31/32 inches high by 1 1/4 inches wide by 1/8 inch thick, spaced 9 1/2 inches on centers with cross bars 1 1/8" x 1 1/4" x 1/8" thick, of inverted tee-shape, coped to fit the contour of the larger tees at the bottom, also 9 1/2 inches on centers, and are welded into place to form a square grid.

The Vaculite Glass Blocks, 9" x 9" in size are set in the grid, packed with soft cotton rope and made water-tight with a special synthetic rubber compound mastic. The joints are completely filled with the mastic to the top surface of the block and all exposed mastic dusted with slate to prevent tackiness. The weight of the manufactured panel was determined as 15 lbs. per sq. ft.

The test was made on a clear span of 5' 6" between bearings, supported on the steel flanges of 10" I beams. The

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total area under test was 5' 0" x 3' 4", 6 units in length by 4 units in width, or a total load area of 18 square feet. The load was applied through 4 inch bearings at the third points of the span, using boxed glass plates for loading material, the weight of each box being measured and recorded. Center deflections were observed on both sides of the test specimens. (Photo No. 1 filed with reports).

TEST LOG

Load in lbs.	Per Sq. Ft.	Deflections	Remarks
180	10	0 0	
1092	60	1/4 3/16	Failure in
1548	86	5/16 5/16	tension with
2928	124	7/16 7/16	deflection
3376	187	9/16 9/16	increasing
4264	236	1 1	contin-
4768	264	1 1/2 1 5/16	ously.
4884	272	3 1/8 2 15/16	

Recovery after re-

moval permanent set 0 15/8 17/16

See Sheet No. 1 filed with application for elastic behavior of test specimen and calculation of safe loads. The physical properties of cold rolled aluminum sections.

Ultimate Strength 22,000 lbs. sq. in.

Computed Section Modulus 0.147

Yield Point 16,000 lbs. sq. in.

The safe test load checks the computed supporting capacity within 3 per cent of the computed value.

As a result of this inspection and test it is recommended that Alglas Floor and Roof construction with vaculite blocks with aluminum bars as specified in this report be approved under C26-626.0 (10.3.8) Administrative Building Code (structural aluminum not being provided for in the Code), on spans not exceeding 5' 6", with a live load not to exceed 70 lbs. per sq. ft., and for longer spans with lighter loads or shorter spans with heavier loads.

The safe live loads on the aluminum frames may be computed on the basis of the following design factors:

Extreme Fiber Stress ($\frac{1}{2}$ Y.P.) 8,000 lbs. per sq. in.

Section modulus of supporting bar 0.417 inches

Spacing of bars 9 $\frac{1}{2}$ inches c.c.

Dead load of Construction 15 lbs. sq. ft.

Safe Live Load (Clear span 5' 6") 70 lbs. sq. in.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Alglas Floor and Roof Construction with Vaculite Blocks in Aluminum Frame on condition that the material be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

Adjourned, 5:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, JANUARY 19, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

1052-39-A

APPLICANT—George Goldberg, for Boardwalk and Seashore Corporation, owner.

SUBJECT—Application reopened and restored to calendar November 28, 1939—re Appeal from a decision of the borough superintendent of buildings (previously dismissed for lack of prosecution).

PREMISES AFFECTED—Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: William Gold.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Joseph Ferro, Dep't of Housing and Buildings, and James Hurley, Asst. Corp. Counsel, Law Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT:

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

THE RESOLUTION—

(1052-39-A)

WHEREAS, George Goldberg, Secretary of the Boardwalk and Seashore Corp., owner, filed on August 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, northwest corner Beach 105th street and Parkway (Ocean Boardwalk), (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. 5276-39, dated July 27, 1939, reads:

"1. Parking of more than 5 cars in a 'Residence' use district is contrary to sec. 3 of Art. 2 of the Bldg. Zone Resolutions."

and

WHEREAS, zoning violation No. 172-39 was issued June 19, 1939, for parking more than five cars in a residence use district without a certificate of occupancy; and

WHEREAS, the premises consist of a plot 75 ft. by 100 ft. in area, located in a residence use district, and occupied for the outdoor parking of more than five (5) motor vehicles; and

WHEREAS, the applicant contends that the premises have been used as a parking space for more than 5 cars for the past 15 years; that said use was legally permitted up to June 28, 1935, at which time an amendment to the zoning resolution was passed, prohibiting the subsequent use of any premises in a business district, for the parking of more than 5 cars; that the premises involved was changed from business to residence use July 21, 1938; that the use as it exists is the same as prior to said use district amendment; and

WHEREAS, the Board deemed that in view of court decisions the use was legally prohibited.

Resolved, that the decision of the borough superintendent, on Misc. Applic. 5276-39 be and it hereby is affirmed and that the appeal be and it hereby is denied.

Adjourned, 11:25 A.M.

JOSEPH J. DOYLE, Chief Clerk.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5 1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), by or using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tanks may be provided with a three-quarter and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plants, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

RULES

lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump	763-25-SA
American Marsh Simplex	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump	628-32-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
Deming Double Oscillating Force Pump	458-27-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Fuel Oil Pump	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump	475-32-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump	60-28-SA
Goulds Rotary Oil Pump	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Triplex Plunger	257-22-SA	Union Steam Pump for Fuel Oil	705-30-SA
Hardinge Fuel Oil Pump	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump	503-24-SA	Warren Oil Pump	1169-23-SA
Koerting Gear Pump	1264-25-SA	Wayne Oil Pump & Fan Set	1155-25-SA
Kraissl Fuel Oil Pump	60-28-SA	Webster Fuel Oil Pump, Types A, Q and T ..	23-34-SA
Leiman Rotary	95-24-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Marsh Fuel Oil Pump	1050-23-SA	Worthington Show Model Duplex	194-22-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Yale and Towne Tri-Rotor Pump	191-39-SA
M. D. Rotary	52-27-SA		

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELIGOTT
JOSEPH J. DOYLE, *Chief Clerk*

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TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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- Certiorari Order Served on Board.
- Rules Directory.
- The Hearing Calendar.
- Minutes of Regular Meeting January 23, 1940, at 10 A. M., Affecting Calendar Numbers 624-38-BZ, 517-39-BZ, 628-39-BZ, 1256-39-BZ, 1286-39-BZ-WF, 1287-39-BZ-WF, 1415-39-BZ, 1416-39-BZ, 1417-39-BZ, 1418-39-BZ, 1419-39-BZ, 1420-39-BZ, 902-39-BZ, 28-29-BZ, 587-39-BZ and 1216-39-BZ.
- Minutes of Regular Meeting January 23, 1940, at 2 P. M., Affecting Calendar Numbers 1003-27-BZ, 452-29-BZ, 280-31-BZ, 71-35-BZ, 888-38-BZ, 75-39-BZ, 755-39-BZ, 1540-39-A, 1063-39-A, 1444-39-A, 1471-39-A, 1510-39-A, 1511-39-A, 1525-39-A, 1527-39-A, 9-40-A, 44-40-A, 609-28-A, 452-30-A, 7-40-A, 491-31-SA, 709-39-SM, 1016-39-SM and 1520-39-SM.
- Oil Burner Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to January 23, 1940.

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
60-40-A.....	F.D.....	Northwest corner of Ditmars boulevard and Second avenue (Block No. 846, Lot No. 67), Long Island City, Borough of Queens, 3396-L.F. and Decision.
61-40-A.....	F.D.....	36-18, Main street, west side, 166 ft. south of Northern boulevard (Block No. 827, Lot No. 43), Flushing, Borough of Queens, 3041-L.F. and Decision.
62-40-A.....	F.D.....	9 Second avenue, west side, 70 ft. south of East First street (Block No. 456, Lot No. 7), Borough of Manhattan, 6418-L.F.
63-40-A.....	F.D.....	6 Gansevoort street, south side, 99 ft. west of West Fourth street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan, Decision re: 19430-C.
64-40-A.....	F.D.....	447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx, Decision re: 1886-L.F.
65-40-A.....	F.D.....	140-09 Rose avenue, west side, 78 ft. north of Kissena boulevard (Block No. 5230, Lot No. 37), Flushing, Borough of Queens, 82142-L.C.
66-40-A.....	H.B.B.....	41-43 Clermont avenue, east side, 87 ft. 1 in. north of Park avenue (Block No. 2033, Lot Nos. 6 and 7), Borough of Brooklyn, Amendment to Alt. 4626-39.
67-40-BZ....	H.B.Q....	227-56 112th road, south side, 24.50 ft. west of Cross Island parkway (Block No. 11228, Lot No. 102), Queens Village, Borough of Queens, N.B. 5898-40.
68-40-BZ....	H.B.M....	75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot

No. 25), Borough of Manhattan,
Decision re: Certificate of Occupancy.

69-40-A.....H.B.M....Blocks bounded by East 102nd street to East 105th street, between First avenue and East River drive (Block Nos. 1696, 1697 and 1698, Lot No. None), Borough of Manhattan,
N.B. 1-40 to N.B. 10-40, inclusive.

70-40-A.....F.D.....79 Fifth avenue and 2-8 East 16th street, southeast corner (18th floor, Pent-House), (Block No. 843, Lot No. 45), Borough of Manhattan,
19381-C and Decision.

71-40-A.....F.D.....135-163 East 59th street, 743-765 Lexington avenue, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan,
Decision re: 19346-L.C.

72-40-S.....H.B.M....231 Mercer street, west side, 175 ft. south of West Third street (Block No. 533, Lot No. 23), Borough of Manhattan,
Viol. 3998-39 and Decision.

73-40-A.....H.B.Q....58-13, 58-17, 58-21, 58-25, 58-29, 58-33, 58-37, 58-41, 58-45 and 58-49 187th street, east side, 100 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Jamaica, Borough of Queens,
N.B. 10252-39 to N.B. 10256-39, inclusive, and
N.B. 10267-39.

74-40-A.....H.B.Q....58-14, 58-18, 58-22, 58-26, 58-30, 58-34, 58-38, 58-42, 58-46 and 58-50 187th street, west side, 100 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Jamaica, Borough of Queens,
N.B. 10257-39 to N.B. 10261-39, inclusive, and
N.B. 10262-39.

75-40-BZ....H.B.M....752-758 West End avenue and 260 West 97th street, southeast corner (Block No. 1868, Lot No. 61), Borough of Manhattan,
B.N. 44-40.

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76-40-A.....H.B.M....316 Pleasant avenue, east side,
25 ft. south of East 117th
street (Block No. 1715, Lot
No. 49), Borough of Manhat-
tan,
N.B. 248-37 re: Certificate of
Occupancy.

77-40-SM.....Anchor Gaskets, manufactured
by The Anchor Packing Com-
pany, Material.

78-40-A.....F.D.....46-48 Fulton street, south side,
147.4 ft. west of Hicks street
(Block No. 202, Lot No. 12),
Borough of Brooklyn,
82058-L.C.

79-40-SM.....Green Bag Non-Staining Water-
proofed Masonry Cement,
manufactured by The Green
Bag Cement Company of West
Virginia, Material.

Restored to Calendar.

7-40-A.....H.B.M....414-415 Riverside drive, east
side, 52 ft. $\frac{7}{8}$ in. south of West
114th street (Block No. 1895,
Lot Nos. 75-78-79), Borough
of Manhattan,
Alt. 3898-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On January 30, 1940, an affidavit and order of certiorari were
served on the Board by Cornelius G. De Loca, attorney, on behalf
of George A. Tibbals and others, owners, in re decision of
Board on January 16, 1940, denying, under section 7-h, application
for parking and storage of more than five motor vehicles in
business district, Cal. No. 748-39-BZ, at premises 37-02 to 37-20
73rd street and 72-02 to 72-30 37th avenue, Jackson Heights,
Borough of Queens.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Jan. 16, 1940—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Jan. 2, 1940—Vol. 25, No. 1
Fire Alarm Rules (Interior)	Sept. 12, 1939—Vol. 24, No. 37
Fire Drill Rules	Nov. 21, 1939—Vol. 24, No. 47
Fire Retarding Rules for Garages, etc.	Jan. 23, 1940—Vol. 25, No. 4
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug. 15, 1939—Vol. 24, No. 33

Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Oct. 3, 1939—Vol. 24, No. 40
Oil Burner Rules	Jan. 30, 1940—Vol. 25, No. 6
Opening Protective Assemblies, Rules for Inspection of	Dec. 5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spray- ing Rules	Nov. 14, 1939—Vol. 24, No. 46
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply)	Nov. 7, 1939—Vol. 24, No. 45
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Oct. 10, 1939—Vol. 24, No. 41
Smoking in Factories, Rules for	Jan. 9, 1940—Vol. 25, No. 2
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov. 21, 1939—Vol. 24, No. 47
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 85
Fuel Oil Fill Pipe Terminals	Oct. 3, 1939—Vol. 24, No. 40
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Jan. 23, 1940—Vol. 25, No. 4
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spray- ing Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 85
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

JANUARY 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, January*
30, 1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under
sections 7a and 21 of the building zone
resolution, of Bernard Trencher, appli-
cant, on behalf of Mary T. Hasselman
and Anastasia L. Bartley, owners
(Socony-Vacuum Oil Company, Inc.,
lessee), to permit in a residence use
district, the extension of a gasoline ser-
vice station and the erection and main-
tenance of a building to be used as a
gasoline service station office, lubri-
tory, auto laundry and for the sale of
accessories; premises 1815-1825 Ocean
avenue, east side, 280 ft. south of Ave-
nue M (Block No. 7656, Lot No. 55
and part of Lot Nos. 51, 54 and 58),
Borough of Brooklyn.

CAL. NO. 762-39-BZ—Application, June 9, 1939, under sec-
tion 7h of the building zone resolution,
of Sidney L. Strauss, applicant, on be-
half of Emigrant Industrial Bank,
owner (Paul Morra, lessee), to permit
in a business use district, for a tem-
porary period of not more than two
(2) years, the parking and storage of
more than five (5) motor vehicles;
premises 338-340 East 8th street, south
side, 83 ft. west of Avenue "C" (Block
No. 390, Lot Nos. 27 and 28), Borough
of Manhattan.

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CAL. NO. 823-39-BZ—Application, June 20, 1939, under section 7h of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Messmore Kendall, owner (Northeast White Tower System, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 231-235 West 50th street, north side, 255 ft. east of Eighth avenue (Block No. 1022, Lot Nos. 12 and 13 and part of Lot No 5), Borough of Manhattan.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

CAL. NO. 1057-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Chemical Bank and Trust Company and Marie Buckley, as sub-trustees u/w of Josephine Guidet Buckley for benefit of Marie Buckley, owners, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 2002-2014 Neptune avenue and 2802-2820 West 20th street, southwest corner (Block No. 7018, Lot No. 9), Borough of Brooklyn.

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 979-24-BZ—Application of Saul Goldsmith, applicant, on behalf of Joseph A. Redmond and John J. Redmond, owners; reopened October 24, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of a store—previously granted by the Board for the conduct of retail business—to an undertaking establishment; premises 6930 Fourth avenue and 379 Ovington avenue, northwest corner (Block No. 5872, Lot No. 54), Borough of Brooklyn.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

CAL. NO. 89-38-BZ—Application, February 14, 1938, under sections 7h and 21 of the building zone resolution, of Isaac T. Flatto, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1682 Palmetto street and 714 Cypress avenue, southeast corner (Block No. 3449, part of Lot No. 6), Ridgewood, Borough of Queens.

CAL. NO. 845-39-BZ—Application, June 23, 1934, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage

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for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 2 P. M.

Appeals from Administrative Decisions.

1393-39-A—107-109 West 38th street, north side, 90 ft. west of Sixth avenue (11th floor), (Block No. 814, Lot No. 30), Borough of Manhattan.

1551-39-A—161 Perry street, north side, 60 ft. east of West street (5th and 6th floors), (Block No. 637, Lot No. 77), Borough of Manhattan.

50-40-A—330-346 West 34th street, south side, 300.1 ft. west of Eighth avenue (Block No. 757, Lot No. 54), Borough of Manhattan.

53-40-A—72-74 Horatio street, south side, 94 ft. 5 in. west of Greenwich street (Block No. 642, Lot No. 52), Borough of Manhattan.

69-40-A—Blocks bounded by East 102nd street to East 105th street, between First avenue and East River drive (Block Nos. 1696, 1697 and 1698, Lot Nos. none), Borough of Manhattan.

4-40-A—8018 Fifth avenue, west side, 64 ft. 3¼ in. north of 81st street (Block No. 5989, Lot No. 49), Borough of Brooklyn.

96-40-A—172-236 First street, 229-293 Third street, 321-359 Third avenue and 338 Fourth avenue (Block No. 968, Lot No. 1), Borough of Brooklyn.

43-40-A—Blocks bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A, 34A and 42A, inclusive), Bellerose, Borough of Queens (Hillside Hospital).

Variation of the Labor Law

1449-39-S—25 Carroll street, north side, 200 ft. east of Van Brunt street (Block No. 347, Lot No. 53), Borough of Brooklyn.

FEBRUARY 6, 1940, 10 A.M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

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CAL. NO. 767-39-BZ—Application, June 9, 1939; dismissed for lack of prosecution December 19, 1939; reopened and restored to calendar January 3, 1940, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Philip Levison and Estate of Benjamin Anchell, owners (Thomas Kallenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 675-22-BZ—Application of Otto A. Staudt, applicant, on behalf of Herman Stursberg Realty Company, owner; reopened January 3, 1940, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system; premises 250-272 Willis avenue, east side, between East 138th street and East 139th street, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue, and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 92-36-BZ—Application of Hirsh, Newman, Reass and Becker, applicants, on behalf of Consolidated Biological Products, Inc., owner, reopened July 5, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board); premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

CAL. NO. 433-39-BZ—Application, April 4, 1939, under sections 7h and 21 of the building zone resolution, of Bernard Shatzkin, applicant, on behalf of Maribert Realty Corporation and Lever and Sidway, Inc., owners, to permit, partly in a

business use district and partly in an unrestricted use district, the parking of more than five (5) motor vehicles; premises 225 Nagle avenue, southeast corner of Academy street, block bounded by Academy street, Nagle avenue, Tenth avenue and West 204th street (Block No. 2216, Lot Nos. 1, 7, 11, 15, 24, 27 and 42), Borough of Manhattan.

CAL. NO. 702-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Holy Name Mission of the Bowery District, Inc. and Second Street Holding Company, Inc., owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 7-19 East 2nd street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13 to 19, inclusive), Borough of Manhattan.

CAL. NO. 1332-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 30-32 Willett street, southeast corner of Delancey (Marginal) street (Block No. 337, Lot Nos. 38, 40 and 41), Borough of Manhattan.

CAL. NO. 872-39-BZ—Application, June 28, 1939, under sections 7h and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Berk Bres Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a gasoline service station; premises 7001-7019 Bay Parkway, southwest corner of West 10th street, and 1-21 Avenue "O" (Block No. 6574, Lot No. 6), Borough of Brooklyn.

CAL. NO. 877-39-BZ—Application, June 29, 1939, under section 7a of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Max Kahn, owner (Family Laundry Service, Inc., lessee), to permit in a residence use district the erection and maintenance of a pit for a pre-heating water coil used in conjunction with the existing laundry on the premises and, also, the maintenance of an existing frame shed; premises 1059-1063 63rd street, north side, 140 ft. west of Eleventh avenue, and 1062-1064 62nd street (Block No. 5730, Lot No. 32), Borough of Brooklyn.

CAL. NO. 1204-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolu-

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tion, of Edward J. Hurley, applicant, on behalf of Chiara Catella, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to 4225 Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx.

CAL. NO. 1421-39-BZ—Application, November 17, 1939, under section 7h of the building zone resolution, of John McBride, applicant and lessee, on behalf of Fordbrad Realty Company, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 624-38-BZ—Application, July 14, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Arthur J. Largy, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

CAL. NO. 628-39-BZ—Application, May 16, 1939, under sections 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Gertrude Mossbacher and The Danmar Corporation, owners (Featherbed Lane Auto Servicer, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

CAL. NO. 1256-39-BZ—Application, October 11, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Morris Rosen, owner, to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Thomas I. Sheridan, applicant and lessee, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor

vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1940, 2 P.M.

Appeals from Administrative Decisions.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1473-39-A—Re transportation and sale of gasoline in Tank Trucks (not of approved type) in New York City.

21-40-A—163 South street, west side, 20 ft. 4 in. north of Dover street (Block No. 108, part of Lot No. 8), Borough of Manhattan.

1509-39-A—2581 Richmond terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond.

76-40-A—316 Pleasant avenue, east side, 25 ft. south of East 117th street (Block No. 1715, Lot No. 49), Borough of Manhattan.

24-40-A—1860 74th street, south side, 128 ft. west of 19th avenue (Block No. 6216, Lot No. 35), Borough of Brooklyn.

39-40-A—665 East 17th street, east side, 156 ft. $\frac{7}{8}$ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

13-40-A—112-23 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

54-40-A—Southeast corner of Davidson street and Mersereau avenue (Block No. 1242, Lot No. 5), Arlington, Borough of Richmond.

125-40-A—59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn.

1540-39-A—30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan.

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FEBRUARY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, February 14, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1245-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Victor Mayper, applicant, on behalf of Ojar Holding Corporation, owner, to permit in an unrestricted use district and, also "B" area district, the erection and maintenance of a fire tower in a required rear yard; premises 213-217 East 37th street, north side, 180 ft. east of Third avenue (Block No. 918, Lot Nos. 10, 11 and 12), Borough of Manhattan.

CAL. NO. 1199-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Alfonso Furibondo, owner, to permit in a business use district, the extension of a garage for more than five (5) motor vehicles; premises 385 Douglass street, north side, 290 ft. west of Fifth avenue (Block No. 943, Lot Nos. 59 and 60), Borough of Brooklyn.

CAL. NO. 1293-39-BZ—Application, October 18, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of A. L. M. Development Corporation, owner (Jack Koenig, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1401-1407 Avenue "M", northeast corner of East 14th street, and 1402-1406 Chestnut avenue (Block No. 6735, Lot No. 121), Borough of Brooklyn.

CAL. NO. 1423-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Esther M. Kornblum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2102-2124 Avenue "Z", southeast corner of East 21st street (Block No. 7441, Lot No. 371), Borough of Brooklyn.

CAL. NO. 1051-39-BZ—Application, August 18, 1939, under section 21 of the building zone resolution, of Joseph Villano, applicant, on behalf of Joseph Villano and Sabbatina Villano, owners, to permit in a residence use district, the maintenance of ten (10) individual garages not an accessory use to a dwelling on the same plot; premises 2415 Wallace avenue, west side, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx.

CAL. NO. 562-37-BZ—Application of Frank G. Burger, applicant, on behalf of Foggin-Burger Land Company, Inc., owner, reopened December 5, 1939, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the extension of an existing business building and, also, the parking of more than five (5) motor vehicles; premises 1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

FEBRUARY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1533-39-A—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851 Lot No. 51), Glendale, Borough of Queens.

FEBRUARY 20, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February*

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20, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 546-39-BZ—Application, May 2, 1939, under section 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Krikwen Realty Company, Inc., owner (Gulf Oil Corporation, lessee), to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage; premises 213-223 East 125th street, north side, 135 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan.

CAL. NO. 212-36-BZ—Application of Charles H. Bellows, applicant, on behalf of Estate of John E. Miller, owner (Joseph Rossi, lessee), reopened October 3, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board); premises 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 20, 1939, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station (previously withdrawn); premises 139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1154-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Oscar J. Haig, applicant, on behalf of Rosa Lanza, William R. Close and Lavinia Close, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a multiple dwelling; premises east side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1940, 2 P. M.

Appeal from Administrative Decision

1312-39-A—East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (Block No. 3381, Lot No. 41), St. Albans, Borough of Queens (Under Section 35, General City Law, re: Bed of Mapped Street).

FEBRUARY 27, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 1356-39-BZ—Application, November 1, 1939, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Willess Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.

CAL. NO. 190-19-BZ—Application of Interborough Engineering Company, applicant, on behalf of Joseph Lau, owner (Lau Motors, lessee), reopened May 9, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a garage for more than five (5)

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motor vehicles (garage previously granted by the Board); premises 2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn.

CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brightwater court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 1175-39-BZ—Application, September 25, 1939, under section 7h of the building zone resolution, of Abraham J. Halprin, applicant, on behalf of Sears Roebuck & Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

CAL. NO. 1362-39-BZ—Application, November 6, 1939, under sections 7h and 21 of the building zone resolution, of Charles W. Van Keuren, applicant, on behalf of Norma McCormack, owner (Joseph McLaughlin and Isidore Paley, lessees) to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue

(Block No. 4806, Lot Nos. 69 and 73), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 120-39-BZ—Application, February 2, 1939, under section 21 of the building zone resolution, of Charles Hofmann, applicant and lessee, on behalf of Cecelia Hofmann, owner, to permit in a business use district, the maintenance of a motor vehicle repair shop in part of an existing building; premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond.

CAL. NO. 105-40-BZ—Application, January 29, 1940, under section 21 of the building zone resolution, of William Wilson Carpet Cleaning Service, Inc., applicant, on behalf of 650 Tiffany Street Corporation, owner, to permit in a business use district, the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage, and garage for five (5) motor vehicles; premises 650 Tiffany Street, east side, 350 ft. north of Randall avenue (Block No. 2765A, Lot No. 123), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 2 P. M.

Appeals from Administrative Decisions.

117-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

118-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

120-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

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Variations of the Labor Law.

119-40-S—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

121-40-S—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

MARCH 5, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 5, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 735-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Horace Ginsbern, applicant, on behalf of 179 Seventh Avenue Company, Inc., owner, to permit partly in a retail use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160 West 21st street, south side, 85 ft. east of Seventh avenue and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 2I of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 2I of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 1446-39-BZ—Application, November 27, 1939, under section 2I of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Suburban Holding

Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis (Cross Island) boulevard and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 2I of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 8, 1940, 10 A. M.

Material Submitted for Approval

830-39-SM-NYK-A and NYK-B One-Hour Metal-Covered Fire Doors, approval of.

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building one resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 2I of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 2I of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under sec-

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tion 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast

corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.
HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 23, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, December 19, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, December 19, 1939, were approved as printed in Bulletin No. 52, Vol. 24.

BUILDING ZONE CASES.

624-38-BZ.

APPLICANT—Henry Nordheim, for Arthur J. Largy, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

APPEARANCES—None.

ACTION OF BOARD—Laid over to February 6, 1940, 10 A.M., no proof of service having been filed by the applicant.

517-39-BZ.

APPLICANT—Thomas I. Sheridan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubricatorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles, for a temporary period of not more than two (2) years.

PREMISES AFFECTED—33-02 to 33-16 Astoria boulevard, southwest corner of 34th street, and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive, and 30), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Philip W. Abatelli, Abraham Kaplan and Thomas I. Sheridan.

For Opposition: A. M. Ferri, G. Libbati, Josephine Piliero, Esther H. Swanson, Catherine Allaire, C. Giovannello, Catherine Onorato, Louise Montanarella, M. J. Fox and others.

For Administration: Harold B. Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to February 6, 1940, 10 A.M., for consideration by the Board. No further argument.

628-39-BZ.

APPLICANT—Henry Nordheim, for Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

APPEARANCES—None.

ACTION OF BOARD—Laid over to February 6, 1940, 10 A.M., no proof of service having been filed by the applicant.

1256-39-BZ.

APPLICANT—Lama and Proskauer, for Morris Rosen, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to February 6, 1940, 10 A.M., for further consideration and submission of revised plans.

MINUTES

1286-39-BZ-WF.

APPLICANT—Benjamin Driesler, Jr., for Farmers Estates Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Driesler, Jr., Paul Windels and H. D. Burchell.

For Opposition: George Saslow, Celia Pascall, Arthur Elbers, Leo Miller, M. L. Fish, F. E. Carroll and Mrs. G. M. Mangone.

For Administration: Harold B. Klorfein, Park Department.

ACTION OF BOARD—Laid over to February 14, 1940, 10 A.M., for further consideration.

1287-39-BZ-WF.

APPLICANT—Benjamin Driesler, Jr., for Farmers Estates Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Driesler, Jr., Paul Windels and H. D. Burchell.

For Opposition: George Saslow, Celia Pascall, Arthur Elbers, Leo Miller, M. L. Fish, F. E. Carroll and Mrs. G. M. Mangone.

For Administration: Harold B. Klorfein, Park Department.

ACTION OF BOARD—Laid over to February 14, 1940, 10 A.M., for further consideration by the Board.

1415-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and Dennis F. Riordan.

For Opposition: Jack Stanislaw, T. J. Nevins, Richard Mugler, Mary Louise Field, Ira S. Robbins and Ruth F. Stone.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by Board and decision. No further argument. To give opportunity to all affected owners to file consents or objections.

1416-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn

Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and Dennis F. Riordan.

For Opposition: Jack Stanislaw, T. J. Nevins, Richard Mugler, Mary Louise Field, Ira S. Robbins and Ruth F. Stone.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by Board and decision. No further argument. To give opportunity to all affected owners to file consents or objections.

1417-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and Dennis F. Riordan.

For Opposition: Jack Stanislaw, T. J. Nevins, Richard Mugler, Mary Louise Field, Ira S. Robbins and Ruth F. Stone.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by Board and decision. No further argument. To give opportunity to all affected owners to file consents or objections.

1418-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southeast corner of West 246th street and Independence avenue, (Block No. 3418, Lot Nos. 805, and 825), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and Dennis F. Riordan.

For Opposition: Jack Stanislaw, T. J. Nevins, Richard Mugler, Mary Louise Field, Ira S. Robbins and Ruth F. Stone.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by Board and decision. No further argument. To give opportunity to all affected owners to file consent or objections.

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1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Independence avenue, (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and Dennis F. Riordan.

For Opposition: Jack Stanislaw, T. J. Nevins, Richard Mugler, Mary Louise Field, Ira S. Robbins and Ruth F. Stone.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by the Board and decision. No further argument. To give opportunity to all affected owners to file consents or objections.

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — West side of Independence avenue, 279.59 ft. south of West 246th street, (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and Dennis F. Riordan.

For Opposition: Jack Stanislaw, T. J. Nevins, Richard Mugler, Mary Louise Field, Ira S. Robbins and Ruth F. Stone.

ACTION OF BOARD—Laid over to January 30, 1940, 10 A.M., for further consideration by Board and decision. No further argument. To give opportunity to all affected owners to file consents or objections.

902-39-BZ.

APPLICANT—John R. Kilpatrick, for Madison Square Garden Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, and also, within 200 ft. of a hospital, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street, (Block No. 1040, Lot Nos. 54, 55, 9, 10 and 11 and part of Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: J. M. Vincent.

For Opposition: Jacob Greenfield.

ACTION OF BOARD—Application withdrawn, without argument.

THE VOTE TO WITHDRAW:

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief Walsh 4
Negative 0

28-29-BZ.

APPLICANT—Sidney H. Kitzler, for Philip Gindoff, owner, (George Cohen, lessee).

SUBJECT—Application reopened April 25, 1939 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the inclusion of an alcove gasoline service station in a garage for more than five (5) motor vehicles previously granted by the Board (a portion, only, of which was erected).

PREMISES AFFECTED — 433-443 Empire boulevard, north side, 101 ft. 2 in. east of New York avenue, Block No. 1310, Lot No. 73), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and George Cohen.

For Opposition: S. Springer, Samuel A. Robbins and Lillie Soltanoff.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(28-29-BZ)

WHEREAS, this application affecting premises, 433-443 Empire boulevard, north side, 101 ft. 2 in. east of New York avenue, (Block No. 1310, Lot No. 73), Borough of Brooklyn, to permit the addition of a 2nd story to a garage for the storage of more than five (5) motor vehicles, granted by the Board under Cal. No. 374-20-BZ, July 13, 1920, was withdrawn November 6, 1929; and

WHEREAS, Sidney H. Kitzler, for Philip Gindoff, owner, requested on November 9, 1939, a reopening of the application, under section 21 of the building zone resolution, to permit in a business use district the inclusion of an alcove gasoline service station in a garage for more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board April 25, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Empire boulevard is in a business use district; Montgomery street, Brooklyn avenue and New York avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated April 5, 1939, re Alt. Applic. No. 1125-1939, reads:

"Proposed change from garage for more than 5 motor vehicles to garage and gasoline service station contrary to Art. II, section 4a of the Building Zone Resolution, as building is located in a business use district.

"Moreover, garage use originally granted by the Board of Standards and Appeals under Cal. No. 374-20-BZ. Any change in the building requires approval of that Board.

"Application is therefore denied."

and

WHEREAS, the building is of non-fireproof construction, with a frontage of 101 ft. 2 in. and a depth of 102 ft. 7 in. (maximum), one story in height. It is proposed to alter the existing garage for more than five (5) motor vehicles, by relocating the street wall of same, and to use the resulting area (101 ft. 2 in. by 24 ft.), as an alcove gasoline service station, and also, grease pit area; and

WHEREAS, it appears that only one-half of the garage

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originally granted by the Board was erected; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship;

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

587-39-BZ.

APPLICANT—Selig and Finkelstein, for The Long Island Railroad Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1520-1524 Avenue P, southwest corner of East 16th street, (Block No. 6778, part of Lot. No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Opposition: Irving D. Goldwyn, Joseph Lear, W. W. Spear, C. W. Burke and James P. Farrell.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(587-39-BZ)

WHEREAS, Selig and Finkelstein, for Long Island Railroad Company, owner, filed on May 8, 1939, an application under sections 7c and 21 of the building zone resolution, to permit partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises: 1520-1524 Avenue P, southwest corner of East 16th street, (Block No. 6778, part of Lot No. 8), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 16th street and East 15th street are in residence and business use districts; Avenue P is in a residence use district, and Kings Highway is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated April 27, 1939, re amendment to Applic. No. N.B. 331-39, reads:

"1. Proposed gasoline station on plot which is partly in residential and partly in unrestricted use zones is contrary to Art. II, Sec. 3 of Zone Resolution.
"Application denied."

WHEREAS, the premises consist of a plot of ground having a frontage of 48 ft. on Avenue P, and 200 ft. on East 16th street; the north half of the plot is located in a residence use district and the southerly half in an unrestricted use district. It is proposed to erect upon the plot a one-story building 25 ft. by 45 ft. in area, to be used as an auto laundry, lubritorium and office, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, and was therefore not entitled to

relief on the grounds of practical difficulty and unnecessary hardship;

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1216-39-BZ.

APPLICANT—Matthew W. Del Gaudio, for 352 West 44th Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 7c of the building zone resolution, to permit in a residence use district the alteration, and also, the extension of an existing business use in an existing building.

PREMISES AFFECTED—352 West 44th street, south side, 150 ft. east of Ninth avenue, (Block No. 1034, Lot No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1216-39-BZ)

WHEREAS, Matthew W. Del Gaudio, for 352 West 44th Street Corporation, owner, filed October 5, 1939, an application under sections 7a and 7c of the building zone resolution, to permit in a residence use district, the alteration and extension of an existing building and the extension of a business use therein; premises: 352 West 44th street, south side, 150 ft. east of 9th avenue, (Block No. 1034, Lot No. 58), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 44th street is in a residence and retail use district; that West 43rd street, 8th avenue and 9th avenues are in retail use districts; and

WHEREAS, the decision of the borough superintendent in acting on Alt. Applic. No. 2828-1939, dated September 11, 1939, reads:

"1. Proposed extension of the building for business purposes in a residential district is prohibited, as is the extension of the present occupancy. Art. II, Sec. 6, Zoning Resolution."

and

WHEREAS, the existing building is non-fireproof, 25 ft. frontage by 40 ft. in depth, and three (3) stories in height, and occupied on the 1st story as a store, and dwellings above. It is proposed to alter the building by extending the 1st story (excepting for a 10 ft. by 15 ft. rear yard) to the rear lot line; extend the 2nd story for a depth of 90 ft. 4 in., and extend the 3rd story to a depth of 50 ft. It is also proposed to occupy the 1st story as a store; the 2nd story as offices, and the 3rd story as dwelling; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under Section 7-c of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-c thereof, to permit the reconstruction and extension of an existing building, substantially as proposed on the plans filed herein, *on condition*, that the building shall not be

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further extended in height or area; that the use shall not be extended beyond the second floor, as proposed; that the front of the building shall be altered and reconstructed as to design, substantially as indicated on plans filed herein; that at the rear, walls or substantial fences shall be constructed on the side and rear lot lines to enclose the rear yard, unless substantial wire fences or walls of buildings already exist; that signs advertising the business occupancy shall be restricted to permanent signs attached to the facade of the building, excluding any roof signs, or signs extending beyond the building line at right angles or for a distance of more than six inches; that all permits required shall be obtained and all work involved shall be completed within one year from the date of this resolution.

Adjourned, 1:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 23, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

1003-27-BZ.

APPLICANT—Brooklyn Traders, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a residence use district, extending from a business use district, the erection and maintenance of an apartment house with store occupancy on the first story.

PREMISES AFFECTED—6913-6921 Fourth avenue, east side, 86 ft. 2 in. north of Ovington avenue, (Block No. 5873, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Koeppel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1003-27-BZ)

WHEREAS, Bennet and Koeppel, for J. W. Sands Realty Corp., owner, filed September 12, 1927, an application, under the building zone resolution, to permit in a residence district, extending from a business district, the erection and maintenance of an apartment house with store occupancy on the first story; premises: 6913-6921 Fourth avenue, east side, 86 ft. 2 in. north of Ovington avenue (Block No. 5873, Lot No. 5), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board March 6, 1928 on certain conditions and owner requested an amendment of the resolution, as to signs; and

WHEREAS, this application was reopened by vote of the Board.

Resolved, that the resolution adopted by the Board on March 6, 1928, as amended May 23, 1939, be and it hereby is amended, only so far as it has reference to advertising signs, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted,

only so far as affects the street front on first story, on condition that this business use shall be incorporated in conjunction with the erection of a six-story apartment house and that the store use shall be restricted to retail mercantile use and occupancy; that the stores shall be separated from the apartment house by walls of approved masonry; that no store shall exceed a depth of 53 ft. from building line; that the southerly gable wall of the store shall be unpierced throughout its entire height and length; that any advertising display shall be restricted to the lettering on the plate glass show windows and plate glass in the doors and to permanent signs attached to the building over the show windows and below the sills of the 2nd story windows, relating solely to the store occupancy; that such signs shall not extend beyond the building line for a distance of more than 3 inches, except that signs existing on the date of this revised resolution may be continued, provided no such sign extends beyond the building line for a distance of more than 3 inches, except for the one sign of the Elite Beauty Parlor, an electrified Neon sign extending 10 inches; that no signs shall hereafter be erected that are not in compliance with the requirements of this resolution; that the remainder of the premises shall be developed and maintained throughout for conforming residential use; that any permits required shall be obtained within nine months and any work involved shall be completed within one year from the date of this amended resolution."

452-29-BZ.

APPLICANT—Corvin Neon Lights, Inc., for Bay Parkway Holding Corporation (Autocraft Service Station, lessee).

SUBJECT—Application for consideration — reopening and amendment of resolution as to sign—re decision of the superintendent of buildings—re Application, previously granted on condition, under sec. 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2201-2205 59th street and 5815 Bay Parkway, (22nd avenue), northeast corner, (Block No. 6547, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Marguerite Porru.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(452-29-BZ)

WHEREAS, this application affecting premises 2201-2205 59th street, northeast corner of 22nd avenue (Bay Parkway); (Block No. 6547, part of Lot No. 1), Borough of Brooklyn, was granted by the board April 14, 1931, on certain conditions, and owner requested an amendment of the conditions through his agent, T. A. Grady; and under date of December 4, 1935, through his attorney, William B. Linder, requested a further amendment and owner now requests a further amendment.

Resolved, that the resolution adopted by the board on April 14, 1931, as amended December 10, 1935 be amended, so that as amended the resolution will read:

"... Granted on condition that there shall be installed at the building line on the Bay parkway frontage a concrete curbing not less than 12 in. in height and 12 in. in width with not more than two openings to Bay parkway, these openings not to exceed 25 ft. in width each; that no part of any opening shall

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be nearer than 3 ft. to the intersection of the northerly interior lot line and not nearer than 5 ft. to the intersection formed by Bay parkway and 59th street; that there shall be a similar concrete curbing not less than 2 ft. in length at 59th street, commencing at the corner formed by the intersection of Bay parkway and 59th street; that curb cuts opposite these openings shall not exceed 30 ft.; that there shall be not more than one vehicular opening not over 40 ft. in width to the gasoline selling area on the 59th street front; that no pumps shall be located within 10 ft. on the building line; that the exterior of the one-story structure, indicated on these plans, shall be constructed of architectural terra cotta; that any advertising displayed shall be confined to the illuminated glass globes of the gasoline pumps; that any other structure erected on these premises for use incidental to the conduct of the business thereon shall be restricted to one story in height and shall be finished on the exterior with architectural terra cotta; that the easterly wall of the gasoline station may be removed and set back to a point 39 ft. 2 in.; and that at this location there shall be erected a new 8-in. masonry wall unpierced throughout its height and length extending for the full depth of the property at this point on 59th street; that the extension permitted above shall be used as a lubricating and washing place for automobiles; and that all permits shall be obtained within three months and all work involved shall be completed within six months from the date of this amended resolution; that nothing herein contained shall prevent the construction of an auto-salesroom building along the northerly lot line of the premises, as indicated on plans filed, marked "received December 5, 1935," on condition that this building shall not be used for any purpose deemed non-conforming in a business district and shall be constructed substantially as indicated on plans filed, marked "received December 5, 1935."

"Resolved further, that an additional sign may be erected as shown on plan marked "Received January 3, 1940," such a sign to be a bracket sign attached to the salesroom building, which may be illuminated, reading: "Autocraft Garage."

280-31-BZ.

APPLICANT—J. & H. H. Goebel, for Grace Locicero, owner.

SUBJECT—Application for consideration—reopening and an extension of permit—re Application (decision building zone resolution, permitting in a business of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district, the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street, (Block No. 4046, Lot No. 5), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Goebel.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

THE RESOLUTION—

(280-31-BZ)

WHEREAS, Edward L. Kelly, for Jasper Mulle, owner, filed, June 4, 1931, an application under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises: 162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd

street, Howard Beach, Borough of Queens; and

WHEREAS, this application was granted by the board November 12, 1931, on certain conditions, resolution amended November 23, 1937, and owner requests an extension of the two year period.

Resolved, that the Board of Standards and Appeals hereby amend its resolution of November 12, 1931, as amended by resolution adopted by the Board on November 23, 1937, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under Sec. 7, Subdiv. F, for a temporary period of two years from the date of this amended resolution, on condition that all pumps shall be set back not less than 10 ft. from the building line; that there shall be but one opening on 162nd avenue and one on Cross Bay boulevard, each not more than 12 ft. wide, with curb cuts in front of each not more than 14 ft. wide; that any buildings for accessory use erected on the premises shall be limited to one story in height; that all advertising signs shall be confined to those on the illuminated globes of the gasoline pumps; that a photograph showing the existing conditions shall be filed with the Board within thirty days from the date of this amended resolution."

71-35-BZ.

APPLICANT—Abraham N. Horwitz, for John Krupski, owner.

SUBJECT—Application reopened December 5, 1939 re consideration as to extension of permit—permit having expired by limitation—re Application (decision of the commissioner of buildings), previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period.

PREMISES AFFECTED — 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street, (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(71-35-BZ)

WHEREAS, John Krupski, owner, filed March 14, 1935, an application under the building zone resolution to permit in a residence district the maintenance of a garage for the storage of one (1) commercial motor vehicle; premises: 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street, (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the board May 28, 1935, for a temporary period of two years, under certain conditions, and owner requests a reopening of the case and an extension of the temporary period; and

WHEREAS, this application was reopened by vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of May 28, 1935, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

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"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, for a term of two years from the date of this amended resolution permitting the storage on one (1) one ton commercial truck on *condition* that at no time shall there be stored in the truck or in the garages or elsewhere on the premises any salable merchandise; that the truck shall be loaded and unloaded with merchandise outside the residential area."

888-38-BZ.

APPLICANT—Abraham Farber, for Anchor Laundry of, Brooklyn, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, permitting in a residence use and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED—467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West, Block No. 1113, Lot No. 62), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Farber.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(888-38-BZ)

WHEREAS, Abraham Farber, for Anchor Laundry of Brooklyn, Inc., owner, filed October 11, 1938, an application under the building zone resolution to permit in a residence use and "E" area district the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and also, the omission of the required rear yard; premises: 467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn; and

WHEREAS, this application was granted by the board January 10, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 10, 1939, only so far as it refers to obtaining permits and completion of work, so that as amended that portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within six months from the date of this amended resolution."

75-39-BZ.

APPLICANT—Sidney L. Strauss, for Anna Gurein, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district, the alteration and extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—38-02 Broadway and 32-01 38th street, southeast corner, (Block No. 656, Lot No. 34), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(75-39-BZ)

WHEREAS, Sidney L. Strauss, for Anna Gurein, owner, filed January 19, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station, affecting premises: 38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the Board July 11, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 11, 1939, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the rearrangement and reconstruction of the existing legal gasoline station, substantially as shown on revised plans marked 'Received July 10, 1939', *on condition* that the accessory building shall not be further extended in height or area; that the lot shall not be increased; that all pumps within 10 ft. of the building line shall be removed and no pumps shall be installed nearer than 10 ft. to either building line; that the curb cut from Broadway shall not be increased from the existing width of 24 ft. and the curb cut on 38th street shall be reduced to 78 ft., as shown on plan marked 'Received July 10, 1939,' and any existing curb cut not included in this dimension, shall be restored; that the extension to the accessory building shall be constructed of incombustible materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood; that if closure doors are installed on the greasing section and the greasing pits are installed, ventilation of the greasing pits shall be installed through the roof with fans of the sparkproof type; that no signs shall be erected on the premises except permanent signs attached to the facade of the accessory buildings, excluding all roof signs and temporary signs, but permitting the erection within the building lines of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the entire plot, where not covered by accessory buildings, shall be cement paved; that all permits shall be obtained and all work completed within ~~one~~ (1) year from the date of this resolution.

Resolved further, that the revised plans marked 'Received January 2, 1940', showing the revised arrangement of the accessory building may be substituted for the plans hereinbefore referred to marked 'Received July 10, 1939,' *on condition*, that in all other respects the requirements of the resolution as adopted by the Board on July 11, 1939, shall be complied with and that no portion of the building or premises shall be used for the repairing of motor vehicles and no sign to that effect shall be exhibited."

755-39-BZ.

APPLICANT—George Doyle, lessee, for Boghill Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than

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two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—19 Nagle avenue, south side, 500 ft. west of Ellwood street, (Block No. 2171, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(755-39-BZ)

WHEREAS, George Doyle, lessee, for Boghill Corporation, owner, filed June 8, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 19 Nagle avenue, south side, 500 ft. west of Ellwood street, (Block No. 2171, Lot No. 10), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers, although duly notified to do so;

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISIONS 1540-39-A.

APPLICANT—L. B. Santangelo, for Estate of Joseph L. Bittenwieser, owner, (Clarence Bittenwieser, Executor).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 30 West 56th street, south side, 434 ft. west of Fifth avenue, (Block No. 1271, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Santangelo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 6, 1940, 2 P.M., for further consideration, and inspection by Board.

1063-39-A.

APPLICANT—Joseph Vinci, for Charles Oliva, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—44-10 Broadway, south side, 75 ft. west of 45th street, (Block No. 707, Lot No. 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: James Jange and Charles Oliva.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners, Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1063-39-A)

WHEREAS, Joseph Vinci, for Charles Oliva, owner, filed August 23, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 44-10 Broadway, south side, 75 ft. west of 45th street (Block No. 707, Lot No. 38), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 1452-39, dated August 22, 1939, reads:

"1. The alteration to a frame building within the

fire limits, to business use is contrary to section 4.1.2 Building Code."

and

WHEREAS, the building is 2 stories (26 ft. 3 in.) in height, 22 ft. by 49 ft. 9 in. in area at 1st floor and 22 ft. by 46 ft. in area at 2nd floor, of frame construction, erected in 1908, located in a business use district and occupied: 1st floor—dwelling—5 persons; 2nd floor—dwelling—5 persons; it is proposed to occupy the building: 1st floor—store—2 persons; 2nd floor—dwelling—5 persons; and

WHEREAS, the applicant contends it is proposed to improve the building by removing the present 1st story frame walls and constructing new walls of brick for the proposed store; that the cellar ceiling will be fire-retarded and the store will be provided with a metal ceiling; and

WHEREAS, this appeal was granted by the board, October 3, 1939, on certain conditions and owner requested an amendment of the resolution.

Resolved that the Board of Standards and Appeals does hereby amend its resolution adopted on October 3, 1939, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1452-39, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall not be extended further than as shown on plans filed herein; that the cellar ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the ceiling of the store shall be protected with metal; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

"Resolved further, that in the event the owner desires to construct the proposed extension two stories in height, in accordance with revised plans marked 'Received January 12, 1940', such extension may be permitted, provided that interior rooms on the second floor are lighted and ventilated in accordance with the requirements of the law and, in addition, the lot line windows opening on adjoining court shall be retained and made fireproof and self-closing."

1444-39-A.

APPLICANT—William B. Sears, for Harry Gregory, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—137-23 Bedell street, north side, 216 ft. east of Farmers boulevard, (Block No. 3664, Lot No. 34), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: William B. Sears.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1444-39-A)

WHEREAS, William B. Sears, for Harry Gregory, owner, filed November 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 137-23 Bedell street, north side, 216 ft. east of Farmers boulevard (Block No. 3664, Lot No. 34), Springfield, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, in acting on N.B. Application No. 9424-1939, dated November 21, 1939, reads:

"The erection of a frame building in the fire limits is contrary to Section 4.1.2 of the Building Code."

and

MINUTES

WHEREAS, the premises consist of a plot 40 ft. by 125 ft. in area, located in a residence and business use "A" area district, on which there exists a frame dwelling on the front of the lot, on which it is proposed to erect the building in question. The building will be 17 ft. 7 in. by 20 ft. 5 in. in area, of masonry construction on the first floor and of frame construction above, and occupied as follows: first floor, two-car garage; second floor, play room and storage, 3 persons; and

WHEREAS, the applicant contends that the building is 75 per cent. completed and that this work was done by a builder who was retained to erect the building and obtain all necessary permits; that during the construction of the building a violation was issued and the builder abandoned the job in its present condition.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 9424-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the proposed two-story garage with second story of frame construction, *on condition* that the garage ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the stairway to the second story shall be on the exterior of the building, and that the second story of the building shall be occupied solely for storage or for play space, and at no time as a residence; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1471-39-A.

APPLICANT—Maxwell M. Flamm for Louis E. Hamburg and Vinnie Hyams, owners, (Joseph DiMarco, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—99 West Ninth street, north side, 112 ft. east of Henry street, (Block No. 536, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Berkowitz.

For Administration: Thomas F. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1471-39-A)

WHEREAS, Maxwell M. Flamm (Joseph DiMarco, lessee), for Louis E. Hamburg and Vinnie Hyams, owner, filed December 4, 1939, an appeal from an order and a decision of the fire commissioner affecting premises, 99 West 9th street, north side, 84 ft. 10½ in. east of Henry street, (Block No. 536, Lot No. 47), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner on Application No. 2909 LF, dated September 8, 1939, reads:

"3. Provide a separate and distinct system of automatic sprinklers throughout building, having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was referred to in decision of the fire commissioner, dated November 15, 1939; and

WHEREAS, the building is 3 stories, (35 ft.) in height, 27 by 100 ft. in area of brick construction, located in a residence use "D" area district; erected prior to 1914 and occupied as a warehouse, 2 persons; for which Certificate of Occupancy No. 72826 was issued January 20, 1934; and

WHEREAS, the applicant contends that the building is unheated and has a low occupancy; that the cost of installation of a sprinkler system as called for by order is prohibitive, and would necessitate the closing of the premises entirely;

Resolved, that the order of the fire commissioner, on Application No. 2909-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item 3, *on condition*, that there shall be installed throughout the building a sprinkler system complying with the requirements of the Building Code therefor, and consisting of not less than one source and that such system may be an automatic dry pipe system in view of the building being without heat; but that no supervisory alarm need be installed.

1510-39-A.

APPLICANT—Ernest J. Pirman for Ilsley Doubleday and Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—56-14 Nurge avenue, south side, 135 ft. east of 56th avenue, (Block No. 2643, Lot No. 34), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Ernest J. Pirman.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1510-39-A)

WHEREAS, Ernest J. Pirman, for Ilsley Doubleday and Company, owner, filed December 15, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 56-14 Nurge avenue, south side, 135 ft. east of 56th street, (Block No. 2643, Lot No. 34), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 5326-39, dated December 1, 1939, reads:

"The extension of building in frame construction within fire limits, and change of occupancy for the use of these premises as a factory are contrary to Sec. 4.1.2 N.Y.B. Code."

and

WHEREAS, the building is one story (25 ft.) in height, 58 ft. by 80 ft. in area; of Class 4 construction; located in an unrestricted use, "C" area district; erected in 1914 and occupied for the storage and mixing of lubricating oil and grease. It is proposed to occupy the building after alteration for the storage and mixing of lubricating oil and grease and the storage of fire brick; and

WHEREAS, the applicant contends that the building is constructed of light-weight iron and steel, and roof girders covered with corrugated iron sheeting; that a small amount of wood 2 x 4's and 2 x 6's are used; that approximately 85% of the building is constructed of incombustible material; that the alteration consists of, making the building watertight, replacing of worn sheet metal on the exterior, relocating the office, enclosing the loading platform and extending same, constructing a concrete retaining wall, and providing additional windows; that the alteration application which is the subject of this appeal was filed in May, 1939; that the building is located in an outlying industrial district; that there are no schools or large dwellings in the neighborhood, and that the buildings are entirely detached.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 5326-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the building shall not be further extended in height or area, and *granted* only so long as the use proposed is continued, and meets in all other respects, the requirements of all laws, rules and regulations applicable thereto, as to construction and occupancy; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct and that all permits required to be issued by the fire commissioner shall be obtained.

MINUTES

1511-39-A.

APPLICANT—M. Martin Elkind, for The Queensborough Corporation, owner, (Charles Lamtros, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 85-04 Northern boulevard, southeast corner of 85th street, (Block No. 1433, Lot No. 1 and part of Lot No. 3), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Administration: Joseph Ferro, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1511-39-A)

WHEREAS, M. Martin Elkind (Chas. Lamtros, lessee), for The Queensborough Corporation, owner, filed on December 18, 1939, an appeal from a decision of borough superintendent of buildings, affecting premises, 85-04 Northern boulevard, southeast corner of 85th street, (Block No. 1433, Lot No. 1 and part of Lot 3), Jackson Heights, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Miscellaneous Application No. 8984-39, reads:

"Erection of a frame building in the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the structure (dining car) will be one story (11 ft.) in height, 65 ft. 3 in. in area, of Class 4 construction, located in a business use district, and to be occupied as a restaurant (dining car), 75 persons; and

WHEREAS, the applicant contends that the structure will be set away from all property lines; that all exterior walls and roof will be covered on inside and outside with incombustible materials;

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 8984-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the construction of the proposed diner, as manufactured by Paramount Diners, Inc., on condition, that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto, and that the building shall not be nearer the lot line than as permitted for a class 5 structure, and *granted* only so long as the building is so occupied and is not extended in height or area.

1525-39-A.

APPLICANT—Liberty Camera Shoppe for Central Properties, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—81 Vesey street, southeast corner of Washington street, (Block No. 83, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Schwam.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1525-39-A)

WHEREAS, Liberty Camera Shoppe, for Central Man-

hattan Properties, Inc., owner, filed December 19, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises, 81 Vesey street, southeast corner of Washington street, (Block No. 83, Lot No. 10), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 17516-LC, dated June 16, 1939, reads:

"5. Install an approved automatic sprinkler system connected to the house supply. Size and location of heads must be approved by the fire department. Sec. C-19-110-0-b-6."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated December 11, 1939; and

WHEREAS, the building is 5 stories, (49 ft.) in height, 88 ft. 5 in. by 47 ft. 4 in. in area, of non-fireproof construction, located in an unrestricted use "A" area district, erected before 1873 and occupied: 1st story stores, photo printing and developing, with offices; showroom and storage above; and

WHEREAS, the applicant contends that to comply with the order would be a hardship.

Resolved, that the order of the fire commissioner, No. 17516-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the partitions as shown shall be constructed of plaster board approximately ½ inch in thickness; that one sprinkler head shall be installed in each of the rooms as subdivided, excluding the front portion of the store and developing room; that these sprinkler heads may be fed from the domestic water supply of the building, provided such water supply is not less than ½ inch diameter.

1527-39-A.

APPLICANT—Simeon Heller for Tillson's Amber Lantern, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 150-24 Northern boulevard, southwest corner of 150th place, (Block No. 5032, Lot Nos. 24 and 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Lucille Saltzman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1527-39-A)

WHEREAS, Simeon Heller, for Tillson's Amber Lantern, owner, filed December 21, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises, 150-24 Northern boulevard, southwest corner of 150th place, (Block No. 5032, Lot Nos. 24 and 25), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 6674-39, dated December 12, 1939, reads:

"The area of the entire building is in excess of 5000 sq. ft., and is therefore contrary to Sec. 471 of the former Building Code."

and

WHEREAS, the building is 2½ stories, (30 ft.) in height, 107 ft. by 59 ft. by 100 ft. by 80 ft., irregular in area, of Class 4 construction, located in a business use "B" area district, erected about 1920, and occupied as follows: Cellar, boiler room and storage; 1st floor, kitchen, cabaret and restaurant, 400 persons; 2nd floor—apartment for one family. Certificate of occupancy No. 1185 was issued on June 27, 1930 for a tea room on the 1st floor, and for dwelling above;

and

WHEREAS, the applicant contends that the building was

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extended in 1930, and certificate of occupancy issued for dining room and dwelling; that the extension added in 1930 was of masonry construction and 2450 sq. ft. in area; that the total area of the structure is 6800 sq. ft.; that the frame portion is 4350 sq. ft., which would be permissible under section 471 of the old Building Code; that it was on this basis that Alt. Plan No. 1836-30 was approved; that the entire area used for restaurant and cabaret purposes is on the 1st floor, with four exits to grade and approximately 60 windows, which could be used as a means of egress in an emergency; that the building is generally used as a dining room, except when catered affairs are run, at which time there may be incidental dancing; that it is this dancing that the Police Department considers, as requiring a cabaret license and a certificate of occupancy for a cabaret use is requested for this purpose; that if the owner is deprived of the revenue from this use, it will be a hardship;

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 6674-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the building is not increased in height or area; that the existing exits from the 1st story shall be maintained; that such portable fire-fighting appliances shall be installed throughout the cellar, first and upper floors, as the fire commissioner shall direct; that the stairway leading from the 1st floor to the cellar shall be enclosed in fire-retarding material; that no highly combustible material shall be stored throughout the cellar; that the upper stories shall at no time be occupied by more than one family and that such occupancy shall be by the owner, as operator of the restaurant.

9-40-A.

APPLICANT—Susanna Geraghty, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—159-49 Whitestone street, east side, 70 ft. north of Academy street, (Block No. 3979, Lot. No. 355), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Susanna Geraghty.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(9-40-A)

WHEREAS, Susanna Geraghty, owner, filed January 4, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises, 159-49 Whitestone street, east side, 70 ft. north of Academy street, (Block No. 3979, Lot No. 355), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 8307-39, dated December 19, 1939, reads:

"With reference to application on file in this department for the erection of a one family (one-story) dwelling at the above premises on which this department has issued objections because the construction of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code, you are advised that I have discussed this case with Chairman Harris Murdock of the Board of Standards and Appeals and in order to appeal for an approval of this application it will be necessary for you to make such appeal to that Board. This department does not have jurisdiction under the law to waive these requirements."

and

WHEREAS, the proposed building will be 1½ stories, (21 ft. 6 in.) in height, 16 ft. by 44 ft. in area, of Class 4 construction, located in an undetermined use "A" area district, and occupied as a one family dwelling; and

WHEREAS, since filing this appeal by the applicant, a substitute decision has been rendered by the borough superintendent on N.B. Applic. No. 8307-39, dated January 11, 1940, which reads as follows:

"1. The erection of a frame building within the fire limits is contrary to section 4.1.2.

"2. Location as given shows proposed building to be in bed of Bergen Basin. Same must be submitted to the Board of Standards and Appeals for their approval.

"Not further considered."

and

WHEREAS, Whitestone street and Academy street are not shown on the City map, the premises in question being shown, as located within the lines of Bergen Basin on the City map; and

WHEREAS, the plans filed with the borough superintendent indicate that it is proposed to construct the building in question on 6 in. by 6 in. posts and 3 in. by 14 in. sills, and that the building will be surfaced on the exterior with asphalt shingles on sides and roof; and

WHEREAS, the applicant contends that the building cannot be constructed of masonry, as it is located on meadow lands over which the tide rises; that the building is completely framed and one quarter sheathed.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 8307-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the proposed building shall comply with the requirements of the Building Code for residential building erected outside of the fire limits.

44-40-A.

APPLICANT—Sylvan Bien, for 735 Park Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—735 Park avenue and 101-113 East 71st street, northeast corner, (Block No. 1406, Lot. Nos. 1-6 inclusive and Lot No. 6½), Borough of Manhattan.

APPEARANCES—

For Applicant: Denning Miller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 26, 1940, 10 A.M., for further consideration by the Board. At recessed meeting of January 26, 1940, appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum

Negative

Absent: Assistant Chief Walsh

THE RESOLUTION—

(44-40-A)

WHEREAS, Sylvan Bien, for 735 Park Avenue Corporation, owner, filed January 11, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises, 735 Park avenue and 101-113 East 71st street, northeast corner, (Block No. 1406, Lot Nos. 1-6 inclusive and 6½), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, undated, on an amendment filed January 11, 1940, to N.B. Applic. No. 14-40, reads:

"1. The above construction for fireproof floors has not been approved by this department or the Board of Standards and Appeals and such construction requires the Board of Standards and Appeals approval for fireproof buildings."

and

WHEREAS, the building will be 19 stories, (178 ft.) in height, 102 ft. 2 in. by 129 ft. 8 in. in area, of Class 1 construction, located in an undetermined use "A" area district, and occupied as a one family dwelling; and

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struction, equipped with a standpipe system, located in a residence use "B" area district and occupied throughout as a Class A multiple dwelling; and

WHEREAS, it is proposed to use "Gritcrete" for fireproofing of beams and for floor arches; and

WHEREAS, this matter was submitted to a Committee of the Board for report; and

WHEREAS, the report of the Committee of the Board, reads:

REPORT OF COMMITTEE

Re: Cal. No. 44-40-A

Subject: Specific Approval of use of Gritcrete

Sylvan Bien, for 735 Park Avenue Corporation, owners of premises 735 Park Avenue, northeast corner 71st street, Manhattan, filed an appeal from a decision of the of the superintendent of buildings, Manhattan, for specific approval for the use of Gritcrete in the building as proposed, as filed under N.B. Application No. 14-1940, to be used for fireproofing of structural steel and for short spans when reinforced with welded wire, mesh and for long span construction in spans up to 14 ft. 6 inches c-c with a live load of 40 lbs. per sq. ft. and with minimum slab thickness of 5½ inches on clear spans up to 14 ft. with a 4 inch truss, and for a live load of 40 lbs. per sq. ft. on spans with a 6 inch thickness of slab and up to 15 ft. 6 in. c-c with clear span up to 14 ft. 6 in. with 4½ inch truss, and for use as secondary members only as distinguished from the principal members of the skeleton steel construction of the building. In connection with trusses, deformed bar reinforcement is provided in the other direction so as to provide for two-way action as well as shrinkage and temperature stresses.

The Aerocrete Corp. whose method of construction is proposed herein has filed a request with the Board, under Cal. No. 33-38-SM and Cal. No. 962-39-SM for the general approval of their short and long span constructions and have conducted tests for the purpose of providing data as to the structural properties of slabs of these types. See Columbia University report No. 2492.

The proposed construction comes within the purview of the intent of the Administrative Building Code to permit the use of new materials and methods of construction not specifically contemplated and not provided for by the Code. Aerated concrete, however, has been in use for a considerable time.

SHORT SPAN GRITCRETE CONSTRUCTION

The request for approval is based on permission to use the empirical formulas as developed for cinder concrete as given in C26-620.0.c.d (10.3.2.3) and (10.3.2.4) Administrative Building Code wherein the express limitation provided by said section is based on the ultimate compressive strength of not less than 700 lbs. per sq. in. at end of 28 days. To meet this requirement, the applicant offers compression tests on 6" x 6" Gritcrete cubes performed by Columbia University report No. 2492, on specimens as follows:

No.	Source	Age at Tests Days	Area Square	Hght Inch	Max. Strength Load	Ult. P.S.I.
I	4" fl.	31	36.4	6.40	35900	986
I	Slabs	31	36.3	6.40	34200	942
II	8½ in.	31	36.3	6.23	62700	1730
II	panel	31	36.3	6.25	56700	1560
III	5½ in.	28	36.0	6.70	37100	1030
III	panel	28	35.8	6.35	36000	1005
	& fl. slab				6/	7253
					Average	1208

This value is within the requirements of that provided for in C26-620.0 d. subdiv. 3 (10.3.2.4) of Administrative Building Code.

A load test, on 4 inch Gritcrete slab, proportioned to

weigh 108½ per cu. ft., and used in a continuous floor slab, consisting of 3 spans with third point loading on middle of 8' 0" clear span, was conducted by Columbia University, Report No. 2492. The design of this slab was in accordance with the Code requirements of the previously mentioned section for a total maximum load (live and dead) of 200 lbs. per sq. ft. The loaded area of the slab was 4' 2" x 8' or 33 sq. ft. and carried a total load at failure of 15,764 lbs., or an equivalent loading of 476 lbs. per sq. ft., exclusive of the dead load, which was 36 lbs. per sq. ft. The fabric used consisted of No. 3 and No 8 wires spaced 3" x 16" c-c respectively. The yield point of the wire in the fabric was 67,300 lbs. per sq. in. and the ultimate strength was 87,500 lbs. per sq. in.

The request herein is for the use of this form of construction with loads for short span as follows:

Total Dead Load	Live Load	Total Load
100 p.s.f. (bathroom)	40 p.s.f.	140 p.s.f.
70 p.s.f.	100 p.s.f. (corridor)	170 p.s.f.

GRITCRETE LONG-SPAN CONSTRUCTION

The request is also for the approval of Gritcrete Long-span construction in a slab thickness of 5½ inches and for a maximum span 14 ft. 6 in. c to c with a 4 inch truss, and on a 6 inch thickness of slab with spans up to 15 ft. 6 in. c to c with a 4½ inch truss.

5½ Inch Gritcrete Slab, Long Span 14'-6" c-c.
Based on tests performed by Columbia University, Report No. 2492, Table No. 2—the applicant requests approval for spans not in excess of 14' 6" c-c constructed of a slab 5½ inches in thickness with trusses having a depth of 4 inches and made up of top chord—2 angles 2 x 1½ x 3/16 inches, web 7/16 inches diameter structural grade reinforcing steel and bottom chord consisting of two 1 inch in diameter structural grade reinforcing bars. The component parts of the truss were fusion welded together and a seat was provided at each end consisting of 3 inch by 5 inch by ¼ inch plate welded to the bottom chord. The trusses were cambered one-half inch. These trusses were spaced 4 ft. c-c. The reinforcement in the long direction consisted of ½" deformed bars placed 12" c-c. The slab was designed for a dead load of 51 p.s.f. and a live load of 75 p.s.f.

The request herein differs from the foregoing in one respect, that is, the test slab was designed to be placed on a concrete wall which required the bearing plates as herein specified. In the proposed construction the trusses will be secured to the principal beams of the structure by welding a plate to the principal beam and the bottom of the top chords of the truss. The request on the 5½ inch slab is for a total dead load of 61 p.s.f. with a live load of 40 p.s.f.

The mixture of Gritcrete used with this construction had a density of 108 lbs. per cu. ft. A panel, designed as a two-way slab with a slab 5½ inches thick with a c to c distance to supporting walls of 14 ft. 0 in. by 16 ft. 0 in. and having an area of 224 sq. ft. was tested at an age of 26 to 28 days, with results as follows:

Total Applied Load on Panel in Lgs.	Avg. of Two * ¼ pts. on 16' Span	Center of Panel	Avg. of Two * ¼ pts. on 14' Span
(Oct. 7, 1939)			
10212	0.02	0.03	0.01
20698	0.04	0.05	0.03
20698	0.06	0.08	0.06
(Oct. 9, 1939)			
30994	0.10	0.15	0.10
41339	0.24	0.37	0.24
51671	0.46	0.72	0.49
62266	0.76	1.25	0.79
(Tension crack formed at mid-span in 16' direction)			
68490 (maximum load)			

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Failure:—Tension crack in lower surface as noted above and cracks in top surface (negative tension) across corners of panels at max. load. Slab deflected until supported by cribbing.

* The relative deflection in these columns give good indication of the two-way action of these slabs.

An analysis of this test in accordance with sub. art. 5 reinforced concrete construction, Administrative Building Code based on the foregoing results of the load test performed by Columbia University, Report No. 2492, is as follows:

Loads per sq.ft. 75 lbs. 150 lbs. 225 lbs. 300 lbs. 335 lbs.

Deflection at Center .04" .15" .52 1.25" 2.52"

Ratio Def. to Span 1/4200 1/1120 1/324 1/135 1/67

(A) STRESSES—SHORT DIRECTION

Top Chords* lbs./sq. in. 17890 20260 22630 25000 26120

Bot. Chords** lbs. sq. in. 19000 25720 32440 39160 42280

Web—lbs. sq. in. 16760 20060 23360 26660 28640

GRITCRETE: Compression lbs. sq. in. 192 384 576 768 858

Shear—lbs. sq. in. 6.2 12.3 18.5 24.6 27.5

Bond—lbs. sq. in. 33.8 67.6 101.4 135.2 151.0

* Yield point 35700 p.s.i., ultimate 81,000 p.s.i.

** Yield point 32300 p.s.i., ultimate 49,200 p.s.i.

(B) STRESSES—LONG DIRECTION

1/2" Reinf. Bars*** lbs./sq. in. 12420 24840 37260 49680 55400

GRITCRETE: Compression lbs. sq. in. 283 566 849 1132 1265

Shear—lbs. sq. in. 6.6 13.2 19.8 26.4 29.5

Bond—lbs. sq. in. 50.5 101.0 151.5 202 225

*** Yield point 42,700 p.s.i., ultimate 65,800 p.s.i.

6-inch Gritcrete Slab Long Span 15' 6".

Included in this request for approval are long spans 15' 6" of supporting beams (14' 6" clear span) consisting of 6-inch thickness slab with a truss having a depth of 4 1/2 inches and made up as follows—top chord—2 angles 2 x 1 1/2 x 3/16 inch, web 1/2 inch diameter reinforcing bar structural grade, bottom chord two 1-inch diameter reinforcing bars structural grade, and cambered 1/2", all welded together, space of trusses being not more than 3 1/2 ft. c-c, and 3/8 inch diameter deformed bars intermediate grade placed not more than 12 inches on centers in the long direction to be used with Gritcrete weighing 108 lbs. per cu. foot. The slab is to be designed for a total dead load of 66 p.s.f. with a live load of 40 p.s.f.

This proposed form of construction comes within the purview of the panel tested by Columbia University covered above with a comparable analysis of the proposed panel with that tested as follows:

Panel A:

Tested Oct. 7 & 9, 1939 Panel B: Proposed Minskoff Col. Univ. Report. 2492 Apt. 71st st. & Park ave.

Clear Span 14' 0" x 16' 0" 14' 6" x 24' 8"

Slab thickness 5 1/2" 6"

Wgt. of floor 51 lbs./sq. ft. 56 lbs./sq. ft.

Applied load 75 lbs./sq. ft. 50 lbs./sq. ft.

Truss: Top chord 2L's 2x1 1/2"x3/16" 2L's 2 x 1 1/2" x 3/16"

Bot. chord 2-1" dia. 2-1" dia.

Web 1-7/16" dia. 1-1/2" dia.

Spacing of Trusses 48" 42"

Reinf. bars 1/2" dia. def. 12" cc. 3/8" dia. Def'd 12" c.c.

Moment

from Wgt.

of slab. 60,000 in lbs. per sq. truss. 61,800 in lbs. per trs.

Shear

from Wgt.

of slab. 1428 lbs. per truss. 1420 lbs. per trus.

Stress from Wgt. of slab.

Top chord 15,520 lbs./sq. in. 13,800 lbs./sq. in.

Bot. Chord 12,280 lbs./sq. in. 10,900 lbs./sq. in.

Web 13,460 lbs./sq. in. 10,230 lbs./sq. in.

DISTRIBUTION OF LOAD

Short Direction 60% 83%

Long Direction 40% 17%

FACTOR

Short Direction 70% 87%

Long Direction 64% 59%

IN SHORT DIRECTION:

Moment from

Appl'd Load per truss 37,800 in. lbs. 39,900 in lbs.

Shear from

Appl'd Load per truss 1260 lbs 1052 lbs.

STRESS FROM APPLD. LOAD

IN SHORT DIRECTION

Top Chord 2370 lbs./sq. in. 2300 lbs./sq. in.

Bot. Chord 6720 " " 6450 " "

Web 3300 " " 1920 " "

Gritcrete, Comp. 192 " " 168 " "

Gritcrete, Shear 6.2 " " 4.8 " "

Gritcrete, Bond 33.8 " " 24.3 " "

IN LONG DIRECTION

Moment—Appl. Load 7350 in.lbs.per ft. 4560 in.lbs.per ft.

Shear—Appl. Load 210 lbs.per ft. 105 lbs.per ft.

STRESS FROM APPLD. LOAD

IN LONG DIRECTION

Reinf. Bars 12,420 lbs./sq. in. 11,600 lbs./sq. in.

Gritcrete Comp. 283 " " 172 " "

Gritcrete Shear 6.6 " " 2.5 " "

Gritcrete Bond 50.5 " " 2.5 " "

STRESS IN TRUSS FROM

TOTAL LOADING

Top Chord 17,890 lbs./sq. in. 16,100 lbs./sq. in.

Bot. Chord 19,900 " " 17,350 " "

Web 16,760 " " 12,170 " "

Note: The computations governing the value of "n" in the foregoing slabs have been assumed at 30, which is a value ascribed to cinder concrete in the Administrative Building Code. This value appears satisfactory in view of the minimum compressive strength requirement of the specimens at 990 p.s.i. The dead weight of the slab is carried by the trusses (exclusive of fill and finish), and the advantage of this construction is in the carrying of all construction loads by the trusses.

RECOMMENDATIONS:

The ingredients of the proposed mixture of Gritcrete weighing 108 lbs. per cubic foot shall consist of one part of approved cement to 5 1/2 parts aggregate (sand and grit) by dry rodded weight, and so graded as to give a fineness modulus as defined by A.S.T.M. C125-36T between 4.0 and 4.3 and with total water of not more than 8 3/4 gals. to the bag. This mixture shall be aerated by adding Gritcrete compound No. 1 (a dry metallic powder) in the ratio of 6 ounces of powder to a bag of cement. Where weather conditions necessitate, compound No. 2, an alkaline solution, mixed in proportions of 1 lb. of such compound to 2 gals. of water, may be added in amounts not to exceed 3 qts. to a bag of cement. The amount of this water added shall be included in arriving at the maximum water cement ratio given above in the mixing water.

The proportioning, mixing, handling and placing shall be under the supervision of a qualified representative of the Aerocrete Corp. continuously during the pouring of all floors. Samples of the mixed material shall be taken by the Superintendent of Housing and Buildings

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at the rate of 3 to each one hundred cubic yards and tested at an approved laboratory, one sample for 7 days strength and 2 samples at 28 days strength.

On the basis of the foregoing data, the Committee recommends the *specific approval* of Gritcrete when used in short spans in accordance with the requirements of C26-620.0 c, d, (10.3.2.3-4) Adm. Bldg. Code, on condition that the test samples shall not be less than that provided for therein, but in no event shall the average of the samples be less than 990 p.s.i. at the end of 28 days and with no individual sample considered which is less than 10% below the value (average compressive strength values of Gritcrete for 4" and 5½" slabs were taken from Columbia Report No. 2492).

The Committee also recommends *specific approval* of the 5½" thickness slabs, maximum 14 ft. clear span, and of the 6 in. thickness slabs with a maximum 14 ft. 6 in. clear span, on condition that in addition to the requirements for Gritcrete as provided in the preceding paragraph, that the average of all steel used shall be of strength at least comparable to that as tested and that all trusses be welded securely to the principal beams. At the supports running parallel to the short direction, deformed hooked bars shall be provided not less than ¾" in diameter and 30" in length and spaced not more than 24" c-c or mesh of equivalent area may be substituted. All loads shall be as provided for herein.

All the steel used herein shall be fireproofed in accordance with the requirements of C26-509.0 (8.5.41). Included in the rated loads are all the loads each slab is to carry. Partitions are planned to be placed on principal steel, and when placed elsewhere they shall be within the loads as prescribed herein. All conduits and piping shall be so placed as not to reduce the strength of the proposed construction.

It is further recommended that except as varied herein, all the requirements of the Administrative Building Code shall be complied with.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee.

and

WHEREAS, in view of the recommendation made in this report, the Board deemed that the appeal should be granted.

Resolved, that the decision of the borough superintendent of buildings, as to undated objection regarding amendment filed January 11, 1940, to N.B. Application No. 14-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the requirements as set forth in the report of the committee, published herewith, shall be complied with.

609-28-A.

APPLICANT—Sylvestre Oil Company, Inc., owner.
SUBJECT—Application for consideration—reopening and amendment, re-Appeal from a decision of the fire commissioner.

PREMISES AFFECTED — 1319 Metropolitan avenue, north side, 522 ft. east of Newtown creek, (Block No. 2310, Lot No. 44), Maspeth, Borough of Queens.

APPEARANCES—
For Applicant: Joseph F. Lynch and Scott E. Drummond.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(609-28-A)

WHEREAS, under date of June 29, 1929, the board modified a decision of the fire commissioner affecting premises 1319 Metropolitan avenue, Maspeth, Borough of Queens, and owner requests a modification of the original resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 29, 1929, and its resolution of October 21, 1932, as to capacity of tanks, so that as amended the resolution shall read:

"*Resolved*, that the decision of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the oil storage maintained on these premises shall be restricted to oils of the fuel oil classification as defined under the *Administrative Code* and the *Oil Burner* rules of the Board of Standards and Appeals; that the storage of oil shall be restricted to one tank approximately 40 ft. in diameter, 42 ft. in height, with a capacity of 395,000 gallons; one tank, 35 ft. in diameter, approximately 42 ft. in height, with a capacity of 305,000 gallons, and one tank, as called for in the resolution, of a capacity of 111,000 gallons; that there shall be provided outside of each tank a reinforced concrete enclosure forming a reservoir with a capacity of not less than one and one-half times the capacity of each tank so enclosed; that the concrete enclosures shall be constructed in accordance with the reinforced concrete requirements of the building code; that in the expansion joints as required of the building code there shall be provided by means of copper strips of not less than 14 gauge, throughout the entire height of such expansion joints and not less than 12 inches in width; that there shall be provided to each tank a steam line for use in the event of fire, and in addition thereto there shall be provided throughout the entire premises for the oil storage a liquid fire extinguishing medium, subject to acceptance by the fire prevention bureau; that the operating control machinery of the fire-extinguishing medium and steam lines of tank shall be maintained within an enclosure of fireproof construction; that all permits required shall be obtained and all work completed within nine months from the date of this *amended* resolution."

452-30-A.

APPLICANT—Otto J. Sambach, for Richfield Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—36-25 to 36-49 Newtown creek, east side, 173 ft. south of Greenpoint avenue, (Block No. 312, Lot No. 250), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Otto J. Sambach.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(452-30-A)

WHEREAS, Philip J. Sinnott, for Richfield Oil Corp., owner, filed, June 24, 1930, an appeal from a decision of the

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fire commissioner, affecting premises 36-25 to 36-49 Newtown Creek, Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, rendered June 17, 1930, (Plan No. 1703-30), reads:

"2. All storage tanks comprising or forming a part of an oil storage plant shall be buried so that the tops thereof shall be at least two feet below grade level. Sec. 111, subdiv. 5, of Art. 8, Ch. 10, C. of O."

and

WHEREAS, the premises consist of a plot of ground 260 ft. by 325 ft. to 351 ft., irregular, in area, upon which is erected a two-story office, twenty-six tanks partly buried for the storage of 614,000 gallons of gasoline; OCCUPIED as a gasoline storage plant; and

WHEREAS, this appeal was granted by the board July 20, 1930, on certain conditions, plans approved Sept. 9, 1930, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 20, 1930, so that as amended it shall read:

"Resolved, that the decision of the fire commissioner be and it hereby is modified, and the appeal, Cal. No. 452-30-A, be and it hereby is granted on condition that the requirements of Cal. No. 853-27-A be complied with, except that the building to be erected on the premises shall be constructed fireproof, other than the roof; the partition wall between the gasoline drum-filling room and mixing room shall be of masonry construction, unpierced, carried 3 ft. above the top of the roof level."

"Resolved further, that in the event the owner desires to store fuel oil in place of lubricating oil in the 15,000 gallon tanks referred to in the preamble to the original resolution, that such storage may be permitted, provided the storage complies with the requirements of the Oil Burner Rules of the Board of Standards and Appeals."

7-40-A.

APPLICANT—Anthony J. De Pace, for Sisters of St. Ursula of the Blessed Virgin, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the acting borough superintendent of buildings, (previously withdrawn).

PREMISES AFFECTED—414-415 Riverside drive, east side, 52 ft. $\frac{7}{8}$ in. south of West 114th street, (Block No. 1895, Lot Nos. 75-78-79), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony J. De Pace and B. Hoffman.

For Administration: Fred Dahlen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, and granted on condition.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE VOTE TO GRANT:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(7-40-A)

WHEREAS, Anthony J. De Pace, for Sisters of St. Ursula of the Blessed Virgin, owner, filed on January 4, 1940, an appeal from a decision of the acting borough superintendent of buildings, affecting premises, 414-415 Riverside drive, east side, 52 ft. $\frac{7}{8}$ in. south of West 114th street, (Block No. 1895, Lot Nos. 75, 78 and 79), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superin-

tendent of buildings, on Alt. Applic. No. 3898-1939, dated January 3, 1940, reads:

"1. Building should be fireproof, 4.2.1 Building Code. Building over 30 ft. in height and over 5,000 sq. ft. in area; public building use."

and

WHEREAS, the premises consist of two buildings, 5 stories (59 ft. 4 in.) in height, 46 ft. 10 $\frac{1}{2}$ in. by 84 ft. 9 $\frac{1}{2}$ in. in area, of Class 3 construction, erected in 1909, located in a residence use "B" area district and occupied: No. 415—Cellar, 1st, 2nd, 3rd, 4th and 5th stories, vacant; No. 414—Cellar, boiler room, no persons; 1st floor, school, 40 persons; 2nd floor, school, 50 persons; 3rd floor, school, 60 persons; 4th floor, school, 60 persons; 5th floor, convent, 13 persons. It is proposed to alter and extend the buildings and to occupy the buildings as follows: Cellar, gymnasium and boiler room, 190 persons; 1st floor, school, 70 persons; 2nd floor, school and chapel, 370 persons; 3rd floor, school, 80 persons; 4th floor, school, 80 persons; 5th floor, convent, 13 persons; and

WHEREAS, the applicant contends that it is proposed to alter the two present non-fireproof buildings, and to build a fireproof extension at the rear; that the entire building is to be used as a school, gymnasium, auditorium and chapel; that the present wood stairway shall be removed and a new steel stair, enclosed with terra cotta blocks, equipped with fireproof self-closing doors will be provided; that a new fire-escape will be provided at the rear; that the present cellar ceiling will be fire-retarded; that all floors will be reinforced to sustain the required live loads; that all classrooms will be provided with windows opening to outer air; that interior toilet rooms will be mechanically ventilated.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3898-40, Objection No. 1, issued January 11, 1940, be and it hereby is modified, and that the appeal be and it hereby is granted on condition, that the building shall be constructed and arranged substantially as indicated on revised plans filed with the borough superintendent under date of January 11, 1940; that all structural steel carrying masonry shall be fireproofed, in accordance with the requirements of the Building Code; that the basement ceiling throughout, including the ceiling of the gymnasium, shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the ceilings of all hallways between exits on the 1st and 2nd floors shall be fire-retarded, in accordance with the rules of the Board of Standards and Appeals; that the proposed exterior fire-escapes on the 4th and 5th floors shall be extended, so as to have two entrances, one from each of the rear classrooms; that such portable fire-fighting appliances shall be installed, as the Commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL
491-31-SA.

APPLICANT—Perfection Stove Company, owner.

SUBJECT—Application for reopening and amendment—Superfex Oil Burning Heaters and Heat Projectors—additional models, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(491-31-SA)

WHEREAS, the Perfection Stove Co., owner, filed October 6, 1931, an application with the Board of Standards and

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Appeals, for approval of their device, known as the Superfex Oil Burning Heater; and

WHEREAS, this device was approved by the board July 8, 1932, under the Rule 22 of the Fuel Oil Rules then in force; and

WHEREAS, the applicant requested an amendment of the resolution so that the approval of the burner would be effective under the Oil Burner Rules adopted June 15, 1934; and

WHEREAS, the board approved the Superfex Oil Burning Heater, models, 1031, 1032, 1035, 1036, 1107, 1108, 1117, 1118, 1109, 1110, 1119, and 1120, and Heat Projector models, 1051, 1052, 1053 and 1054, on certain conditions; and applicant requested an amendment of the resolution to include additional model numbers; and

WHEREAS, the report of the Committee on Tests on the additional model numbers, was as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 491-31-SA.

Subject: Application for amendment — Superfex Oil Burning Heaters and Heat Projectors—additional models.

The Perfection Stove Co., requested an amendment of the resolution of July 2, 1932, as amended June 15, 1935 and June 15, 1937 to include new model numbers.

These models are similar to models previously approved by the Board, the new numbers being simply a trade number and do not signify any difference in construction.

1221, 1231 and 1201 are similar to 1031 except color and chromium trim. The flue outlet is $9\frac{3}{4}$ in. lower and these models have a crackle finish. 1231 porcelain enamel, 1201 synthetic enamel, 1221 porcelain are the same as 1231 except lower flue outlet.

1232, 1222, and 1202 same as 1032 except finish and flue outlet.

1235, 1247 and 1205, same as 1035.

1236, 1248, 1206, same as 1036.

1309, 1305 same as 1109 except color and trim.

1306 and 1310 same as 1110 except as noted

1317 Same as 1117

1318 Same as 1118

1319 Same as 1119

1320 Same as 1120

Heat projector model 1056 same as 1052.

It is recommended that the resolution of the Board adopted June 15, 1937 be amended to include the additional model numbers on condition that the requirements of the resolution be complied with.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, the report of the Committee on Tests recommended the amendment of the resolution, to include these additional models;

Resolved, that the Board of Standards and Appeals hereby amends its resolution of July 8, 1932, as amended October 15, 1935, and approves the devices known as the Superfex Oil Burning Heaters Model Nos. 1031, 1032, 1035, 1036, 1107, 1108, 1117, 1118, 1109, 1110, 1119 and 1120 and models No. 1221, 1231, 1201, 1232, 1222 and 1202, 1235, 1247, and 1205, 1309, 1305, 1306, 1310, 1317, 1318, 1319 and 1320 and Superfex Heat Projector Models 1051, 1052, 1053, 1054 and 1056, for use in domestic, commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals with the following additional requirements:

"1—That the instruction card furnished with this burner to all users shall contain the following:

NOTICE

Approved by the Board of Standards and Appeals
under Cal. No. 491-31-SA

For use in New York City.

Only an Approved Safety Can Shall Be Used In
Filling This Storage Container.

"2—The storage container shall bear a label permanently affixed, reading as above.

"3—Floor beneath the oil burning device shall be protected by a shield of $\frac{1}{2}$ in. asbestos or other equivalent material, extending at least 12 in. beyond the outline of heating device.

"4—Only approved safety cans shall be used for the storage and filling of oil containers.

"5—This burner shall be connected to a legal chimney, complying with the requirements of Section 403 of Chapter V of the Code of Ordinances; said chimney to have a readily accessible cleanout door; the flue connection to the chimney shall be equipped with automatic damper.

"6—The fuel oil used in this device shall be range oil or No. 1 or No. 2 fuel oil.

"7—The manufacturer or installer of this burner shall within 48 hours after each installation, notify the fire department in writing of the name of the person to whom this burner was sold and the address of the premises where installed."

MATERIALS SUBMITTED FOR APPROVAL

709-39-SM.

APPLICANT—The National Gypsum Company of Buffalo.
SUBJECT—Gold Bond, Rockwall and Gypsolite Brands of Gypsum Wallboard, Sheathing, and Plaster Bases, approval of.

APPEARANCES—

For Applicant: H. Z. Jones.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(709-39-SM)

WHEREAS, The National Gypsum Company, owner, filed May 29, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Gold Bond, Rockwall, and Gypsolite Brands of Gypsum Wallboard; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

January 17, 1940

Re: Calendar No. 709-39-SM.

Subject: Gold Bond, Rockwall and Gypsolite Brands of Gypsum Wallboard, Sheathing and Plaster Bases.

The National Gypsum Company of Buffalo, N. Y., filed on May 29, 1939 an application with the Board of Standards and Appeals for the approval of their gypsum board materials for uses as wallboards, sheathing and plaster bases and marketed under the trade names of Gold Bond, Rockwall and Gypsolite, for such uses as hereinafter provided, and under the specific provisions of the Administrative Building Code, as listed.

These gypsum board products consist of sheets of set gypsum, slightly fibred, reinforced on both sides with a surfacing of board paper. When used as a plaster base, the top side is less sized so as to provide proper suction and to obtain a good bond. The wallboard is designed to be used as a finished wall or ceiling and may be further decorated. Gypsum sheathing board surfaces are reinforced with heavy waterproofed paper so as to withstand moisture.

These wallboard products are made in a continuous pro-

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cess during which the wet material, while moving on the conveyor, is shaped to the desired specifications as to thickness and width by means of master rolls and after setting are cut to desired lengths.

The gypsum boards are then dried to remove the excess water by passing through a continuous kiln.

These materials are manufactured in sizes as follows:

Gypsum Wallboard—square edge

Width 48 inches
Length..... 4 to 12 feet
Thickness..... 1/4, 3/8, 1/2 inch

Gypsum Wallboard—Recessed Edge

Width 36" and 48"
Length..... 8 to 10 ft.
Thickness..... 3/8" and 1/2"

Gypsum Lath

Width 16 inches
Length..... 32", 36" and 48"
Thickness..... 3/8" and 1/2"

Gypsum Liner Board or Lath

Width 24" and 32"
Length..... 36" and 48"
Thickness..... 1/4" 3/8" and 1/2"

Gypsum Sheathing Board

(Tongue & Grooved)—Long Edges

Width 24 inches
Length..... 6 ft. 8" and 8 ft.
Thickness..... 1/2 inch

Tests on these materials were made by the Pittsburgh Testing Laboratory for conformance with the requirements of A.S.T.M. and Federal Specifications with results as follows:

1/2" GYPSUM WALLBOARD REQUIREMENTS

	A.S.T.M. C-36-34	Federal SS-W-51-A	Pittsburgh Test. Lab. No. 12650.8
Thickness average	.500+1/64" -11/64"	.500+.016 -.016	.504
Maximum local variation	.500+1/32" -1/32"	.500+.031 -.031	.511
Width maximum	48"	48"	48"
Width minimum	48-29/32"	47-29/32"	48"
Length tolerance	+1/4" -1/4"	+1/4" -1/4"	-1/8"
Weight per 1000 sq.ft.	Min. 1800 lb. Max. 3000 lb.	Min. 1800 lb. Max. 3000 lb.	2000 lb.
Strength in pounds (av. ten pieces) across fibre of surfacing	105 lb. Min.	105 lb.	190 lb.
Parallel fibre of surfacing	45 lb. Min.	45 lb.	65 lb.
Bond between core and surfacing	good		good

3/8" GYPSUM WALLBOARD

	A.S.T.M. C-36-34	Federal SS-W-51-A	Pittsburgh Test. Lab. No. 12650.8
Thickness average	.375+1/64" .375-1/64"	.375+.016 .375-.016	.378
Maximum local variation	.375+1/32" .375-1/32"	.375+.031 .375-.031	.386
Width maximum	48"	48"	48"
Width minimum	47-29/32"	47-29/32"	47-15/16"
Length tolerance	+1/4" -1/4"	+1/4" -1/4"	-1/8"

Weight per 1000 sq. ft. lbs.

Min. 1350 lb. Min. 1350 lb. 1570
Max. 2000 lb. Max. 2000 lb.

Strength in lbs.

across fibre of surfacing

80 lb. 80 lb. 140 lb.

Parallel fibre of surfacing

34 lb. 34 lb. 50 lb.

Bond—no breaking between core and surfacing

OK

1/4" GYPSUM WALLBOARD

	A.S.T.M. C-36-34	Federal SS-W-51-4	Pittsburgh Test. Lab. No. NY-40880
Thickness average tolerance	+1/64" -1/64"	+1/64" -1/64"	+.002 -.005
Thickness local variation tolerance	+1/32" -1/32"	+1/32" -1/32"	
Width—max. tolerance	0	0	0
Width—min. tolerance	3/32"	3/32"	0
Length tolerance	+1/4"	-1/4"	+1/8" -1/8"
Weight lbs. per 100 sq. ft.	Min. 900 lb. Max. 1500 lb.	900 1500	1003
Strength in lbs. across fibre of of surfacing	50 lb.	50 lb.	72.23 lb.
Parallel fibre of surfacing	24 lb.	24 lb.	28.60
Bond			good

1/2" x 24" x 8' GYPSUM SHEATHING BOARD

	A.S.T.M. C-79-34	Federal SS-W-51-A	Pittsburgh Test. Lab. No. 12650.8
Thickness average	.500+1/32" -1/32"	.500+.016 -.016	.499
Thickness local variation	.500+1/16" -1/16"	.500+.031 -.031	.474
Width—Maximum	24" or 32"	—	24-1/16"
Width—Minimum	+1/8" -1/8"	—	24"
Length tolerance	6 ft. 8" or 8"+1/4" -1/4"	+1/4" -1/4"	1/8" Max. 0 Min.
Weight lbs. per 100 sq. ft.	Min. 1800 lb. Max. 3000 lb.	Min. 1800 Max. 3000	2256
Strength in lbs. across fibre of surfacing—minimum	110 lb.	105 lb.	169 lb.
Parallel fibre of surfacing	50 lb.	45 lb.	56 lb.

Racking tests were also conducted on this material by the Pittsburgh Testing Laboratory—File No. 12650.8—with details and results as follows:

All tests were made according to the provisions of Federal Specification SS-W-51-a except when the requirements were specifically applicable to Type A or Type B board. The material under test was provided with an edge finish not included in these types and the requirements for width given under "Test Results" are accordingly omitted. Five pieces nominally 2 by 8 feet by 1/2 inch thick were supplied for test.

MINUTES

	Test Results	SS-W-51a Requirements	Weight per 1000 sq. ft. lbs.	1350 Min. 1350 Max. 2000 Max.		
				1350 Min. 2000 Max.	Min. 1350 Max. 2000	1537
Thickness (Average of 5 pts on each of 10 pieces).....	.499	.500 x .016	Strength across fibre of surfacing—minimum	60 lbs.	60 lb.	107.8 lb.
(Maximum local variation) .	.474	.500 x .031				
Width			Parallel of surfacing			
Maximum	24—1/6"	—	—minimum	27 lbs.	27 lb.	34.7 lb.
Minimum	24"	—	Bond when plastered (required lbs. to bread per sq. ft.)	—	—	1000
Length			3/8" GYPSUM LINER BOARD			
Maximum	8'0—1/8"	8' x C—1/4"				
Minimum	8'0"	1800 Min. 3000 Max.				
Weight (per 1000 sq. ft.).....	2256 lb.					

			A.S.T.M. C-37-34	Federal SS-F-431-A	Pittsburgh Test. Lab. No. NY-40949
Strength in Pounds					
Across fiber of surfacing					
Average of 5 pieces	171	—			
Minimum	169	105			
Parallel to fiber of surfacing					
Average of 5 pieces	58	—			
Minimum	56	45			

Bond					
No breaking of the bond between the plaster core and the fibrous surfacing material was observed.					
Racking Test Method					
The test procedure was identical with that described in Section VI-5 of the National Bureau of Standards Report BMS2 for Building Materials and Structures. The test panel was 8' by 8' made of yellow pine 2 x 4's placed 16" on centers and covered with 2' x 8' x 1/2" "Gold Bond" Gypsum board with the joints staggered.					
TEST RESULTS					

Load in Pounds	Deflection in Inches
300	.011
920	.114
1365	.364
2000	.967
2570	1.756
3000	2.462
3575	3.190
3750	Complete failure

Load at end of test	3750	Complete failure
This material meets the requirements of the Federal Specification SS-W-51a where they are applicable to this type of product.		
PLASTER BASES		
1/2" GYPSUM LINER BOARD		
	A.S.T.M. C-37-34	Federal SS-W-51-A
		Pittsburgh Test. Lab. No. 12650.8
Thickness tolerance	+1/32"	.500+.016
	—1/32"	— .016
Max. local variations	+1/16"	.500+.031
	—1/16"	— .031
Width—maximum	+1/8	32"
Width—minimum	—1/4	31—3/8"
Length	—1/4 + 1/8	+1/4—1/4
Weight per 1000 sq. ft.	1800 Min. 3000 Max.	Min. 1800 Max. 3000
Strength across fibre of surfacing—in lbs.	100 lbs.	105 lb.
Parallel fibre of surfacing	40 lbs.	45 lb.
No breaking of bond between plaster core and surfacing	OK	OK

			Pittsburgh Test. Lab. No. 2040
3/8" GYPSUM LATH			
	A.S.T.M. C-37-34	Federal SS-W-51-A	Pittsburgh Test. Lab. No. 39938-A
Thickness tolerance	+1/32"	+1/16"	
	—1/32"	—1/16"	— .003
Width tolerance	+1/8—1/4	+1/8—1/4	—3/64
Length tolerance	+1/8—1/4	+1/8—1/4	—5/64

Thickness tolerance	+1/32—1/32	+1/16—1/16	—1/64
Width tolerance	+1/8—1/4	+1/8—1/4	+1/8—1/8
Length tolerance	+1/8—1/4	+1/8—1/4	—1/8
Weight per 1000 sq. ft. —lbs.	1350 Min. 2000 Max.	Min. 1350 Max. 2000	1573
Strength across fibre of surfacing—minimum	60 lbs.	60 lb.	110 lb.
Parallel fibre of surfacing—minimum	27 lbs.	27 lb.	37.8lb.
132—132—			
The methods of the covering joints of gypsum wallboards may be a two inch wide tape secured by casein glue or by a quick set filler.			

RECOMMENDATIONS

On the basis of the foregoing data, the committee recommends the approval of the gypsum wallboard as manufactured and of the specifications contained herein as follows:
3/8" and 1/2" GOLD BOND, ROCKWALL
AND GYPSOLITE GYPSUM WALLBOARD
Approval of this material is recommended under C26-191.0 (2.2.3) and C26-241.0 (3.2.3) and C26-242.0 (3.2.4) of the Administrative Building Code, as an interior wallboard for use of partitions and ceilings not required to have a fire resistive rating and when installed with the requirements and manufacturer's specifications. Approval is also recommended of these gypsum wallboards in sizes of 3/8" and 1/2" for use as a subdividing partition in Class I buildings, 150 feet or less in height, and in Class II buildings to subdivide rooms or spaces 5000 square feet or less in area, under C26-667.0, subdivision 5 (10.9.2.5). Approval is also recommended of this gypsum wallboard in 1/2" thickness for use in the one hour fireproof partition when installed in accordance with the requirements of C26-636.0 subdivision 11a, b.

PLASTER BASES

Approval of the Gold Bond, Rockwall and Gypsolite liner board in not less than 1/2" thickness for use as a plaster board under C26-462.0 (8.4.10.6) when installed in accordance with requirements thereof, and C26-363.0 (10.4.3.1.) item 9, 11a, b, for use in partitions required to have a one hour fire resistive rating and when installed in accordance with the requirements of such sections.
Approval is also recommended under C26-669.0 Sub. b (10.11) for use on fire resistive ceilings when applied as prescribed therein, and for fire stopping of stairs under C26-686.0 (10.13.4) when used as prescribed herein. The use of this material may be permitted as a substitute for combustible lath under C26-458.0 (8.4.10.2). Approval is also recommended for the use of this material in a thickness of 1/2" for fire retarding under the Rules and Regulations of the then Tenement House Department, now the Division of Housing and Buildings.

GOLD BOND, ROCKWALL AND GYPSOLITE
PLASTER BASE — 3/8" THICKNESS

Approval of this plaster base in thickness of not less than 3/8" for use as a plaster board under C26-462.0 (8.4.10.6) when installed in accordance with the requirements thereof and under C26-363.0 (10.4.3.1) item 11b when plastered

MINUTES

with $\frac{1}{2}$ " unsanded gypsum plaster as provided therein for a partition having a fire resistive rating of one hour. The use of the material may be permitted as a substitute for combustible lath under C26-458.0 (8.4.10.2).

GOLD BOND, ROCKWALL AND GYPSOLITE $\frac{1}{4}$ " THICKNESS

The Committee recommends no action be taken on this material at this time as it will be subjected to further investigation.

The committee further recommends that the sheets or bundles whichever way these materials are shipped, shall be stencilled, labelled or marked reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 709-39-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report, recommended the approval of these materials except as noted.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gold Bond, Rockwall and Gypsolite Brands of Gypsum Wallboard and Plaster Bases on condition, that the material be manufactured, used, and labelled stamped or tagged in accordance with above report.

1016-39-SM.

APPLICANT—The National Gypsum Company of Buffalo.

SUBJECT—Gold Bond Fibre Insulation Board, fibre plank & tile, fibre insulation lath and fibre sheathing board, approval of.

APPEARANCES—

For Applicant: H. Z. Jones.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

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THE RESOLUTION—

(1016-39-SM)

WHEREAS, the National Gypsum Company of Buffalo, owner, filed July 31, 1939 an application with the Board of Standards and Appeals for approval of the material, known as Gold Bond Fibre Insulation Board, Plank and Tile, Plaster Base and Sheathing; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 12, 1940

Cal. No. 1016-39-SM

Gold Bond Fibre Insulation Boards, approval of,

The National Gypsum Company of Buffalo, N. Y., filed on July 31, 1939 an application with the Board of Standards and Appeals for the approval of their Gold Bond Fibre Insulation Board, Plank and Tile, Plaster-base and Sheathing under the requirements of the Insulation Fibre Board Rules of the Board of Standards and Appeals.

Gold Bond Insulation Boards are manufactured by the applicant at its plant located at Mobile, Alabama, from a mixture of fibres of sound pine, bay poplar and cotton wood which are reduced from logs to fibre by a grinding process resulting in long clean fibres with their natural elements. It is, then sized by adding chemicals to render the boards moisture resistant, durable, toxic to vermin and to fix the

expansion and contraction of the Boards. It is then felted and dried so as to destroy deteriorating fungi.

This material is manufactured for the uses, and in the sizes and thicknesses as follows:

USES AND JOINTS

Building Board—square edge

Width 4 ft. 0 inches

Length 6 to 12 ft.

Thickness $\frac{1}{2}$ to 1 inch.

Building Plank—long sides have beveled V-Lap edges, ends are square

Width 6" 8" 10" 12" and, 16"

Length 8 to 12 ft.

Thickness $\frac{1}{2}$ "

Ceiling Tile—V-Lap edges on all sides, and beveled

Sizes 12 x 12" to 24 x 48"

Thickness $\frac{1}{2}$ and 1 inch

Plaster-base—Long edge interlocking V-Lap joint. Short Edge square. Beveled on all four sides.

Width 18"

Length 48"

Thickness $\frac{1}{2}$ " and 1"

Sheathing—Square and Tongue and Grooved.

Width sq. edge 4 ft.

tongue & grooved 2 ft.

Length sq. edge 7 to 12 ft.

tongue & grooved 8 ft.

Thickness 25/32"

The fibre insulation board used as a plank or tile are identified by the finished surfaces having different textures, designs and colors. When used as a plaster base, it is 18" x 48" in size, all edges beveled and may be with or without stripite edge reinforcement attached. Fibre sheathing board has a heavy coating of asphalt over it and then over this a coat of aluminum paint on both surfaces and all edges.

Tests on these materials were made by the Pittsburgh Testing Laboratory for conformance with the requirements of Rule I adopted by the Board of Standards and Appeals, May 5, 1939 for Insulation Fibre Board, Building Board, Plaster Base, Plank and Tile— $\frac{1}{2}$ " thickness—(other than Sheathing).

TEST DATA ON GOLD BOND FIBRE BOARD FOR USE AS BUILDING BOARD, PLASTER BASE, PLANK AND TILE ($\frac{1}{2}$ " THICK):

	Rule Requirements	Test Results
Thermal conductivity B.T.U. per hour per sq. foot per degree F. per inch thickness	0.36 Max.	0.36
Thermal conductivity B.T.U. per hour per sq. foot per degree F. irrespective of thickness	0.72 Max.	0.72
Transverse strength pounds — lengthwise	14 Min.	27.
Transverse strength pounds — crosswise	12. Min.	21.
Minimum deflection at ultimate load inches	0.25	0.48
Maximum deflection at ultimate load inches	0.85	0.63
Tensile strength pounds per square inch	175 Min.	323 Machine Dir. 246 Cross " "
Water Absorption percent....	5. Max.	4.4
Linear Expansion percent	0.50	0.25 Machine Dir. 0.15 Cross " "
Nail holding strength	70 lbs.	91.7
Bonded surface per sq. ft.	700 lbs.	2016 sq. ft.
[From test data of Pittsburgh Testing Laboratory (N.Y.— 36910) filed with application]		

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TEST DATA ON GOLD BOND FIBRE SHEATHING BOARD (THICKNESS 25/32"):

	Rule Requirements	Test Results
Thermal conductivity B.T.U. per hour per sq. foot per degree F. per inch thickness	0.36 Max.	0.358
Thermal conductivity B.T.U. per hour per sq. foot per degree F. irrespective of thickness	0.72 Max.	0.72
Transverse strength pounds — lengthwise	21.75 Min.	44.
Transverse strength pounds — crosswise	18.75	36
Minimum deflection at ultimate load inches	0.25	0.37
Maximum deflection at ultimate load inches	0.85	0.53
Tensile strength pounds	175 Min 243 Machine Dir. 173 Cross "	
Water absorption percent	5. Max. 1.3 unsealed edges 0.3 sealed edges	
Linear expansion percent	0.50	
Nail holding strength pounds	100. *158.8 lbs.	

*(See copy of Test of City of Detroit and Pittsburgh Testing Laboratory report No. NY-36910).

On the basis of the foregoing data which meets the requirements of Rule I of the Insulation Fibre Board Rules, the committee recommends the approval of Gold Bond Fibre Insulation Board, Plank & Tile, plaster base and sheathing as manufactured by the applicant at its plant at Mobile, Alabama in the sizes and thicknesses as specified herein for use in accordance with the requirements of Rule II of the Insulation Fibre Board Rules when installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend, and that the use of each type of Board shall be limited to the uses prescribed herein. When used for sheathing, full length and width boards shall be used; and over doorways and over and under windows vertical and horizontal 2" x 4"s shall be provided so as to afford nailing bases along all edges of the board so used. Each package or container of these materials shall state the use of each type of material and shall be marked, tagged or labelled as follows:

"Approved for use in New York City by the Board of Standards and Appeals under Calendar No. 1016-39-SM when installed under the requirements of the Insulation Fibre Board Rules of the Board of Standards and Appeals."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gold Bond Fibre Insulation Board, Plank and Tile, plaster base and sheathing, on condition, that the material be manufactured, installed, labelled stamped or tagged in accordance with above report.

1520-39-SM.

APPLICANT—Superior Steel Door and Trim Company, Inc., owner.

SUBJECT—Connell Three hour hollow metal fire door, approval of.

APPEARANCES—

For Applicant: George E. Strehan and Thomas G. Williams.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1520)-39-SM)

WHEREAS, George E. Strehan Consulting Engineer, for Superior Steel Door and Trim Co., Inc., owner, filed December 18, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Connell Three Hour Metal Fire Door; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1520-39-SM

Connell Three Hour Hollow Metal Fire Door

WHEREAS, George E. Strehan, Consulting Engineer for Superior Steel Door and Trim Co., Inc., owner, filed December 18, 1939, an application with the Board of Standards and Appeals for approval of the Connell Three Hour Hollow Metal Fire Door, under the provision of C26-660.0 (10.8.1), C26-661.0 (10.8.2), C26-663.00 (10.8.4.2), and C20-662.0 (10.8.3) Administrative Building Code and under the Multiple Dwelling Law.

The door was constructed with 5 inch stiles and top rail and 10 inch bottom rail 1 1/4 inches thick. (See Figure 1.) The

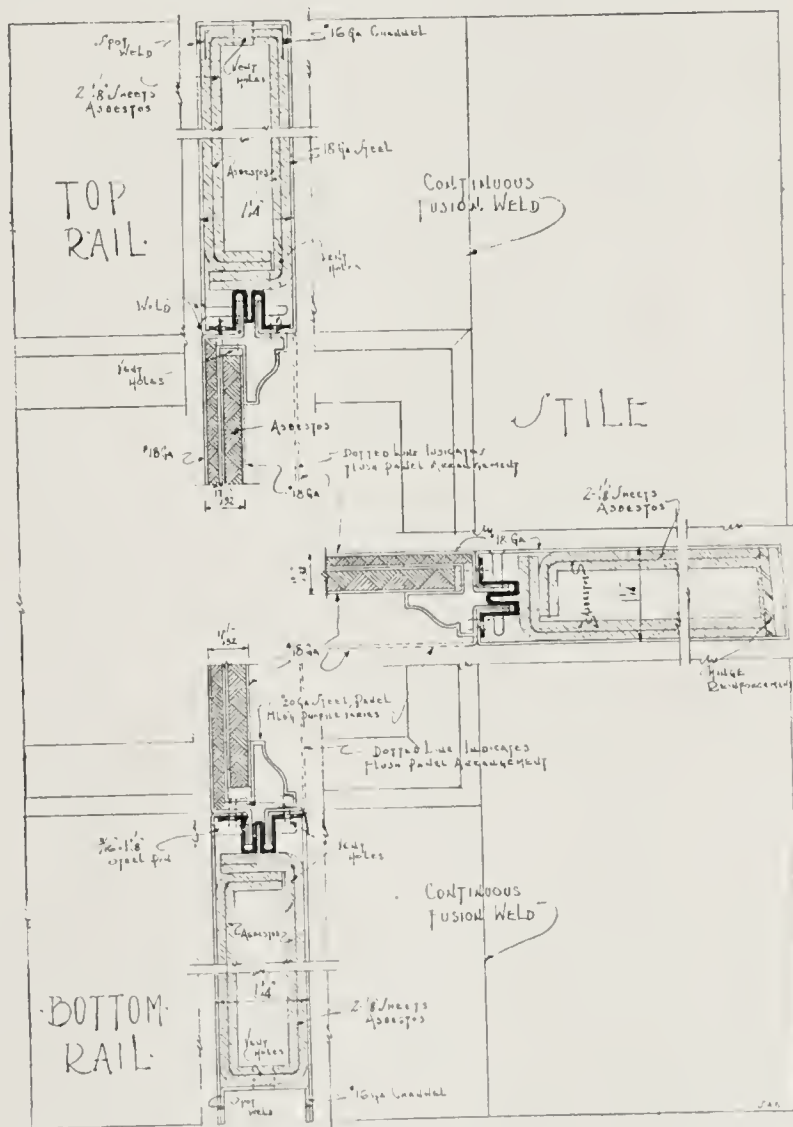


FIGURE 1

enclosed panel which was 17/32 inches thick was flush with stiles and rails on the fire exposed side and dropped or set back 3/4 inch from the plane of the stiles and rails on the un-

MINUTES

exposed side. The panel molding on the unexposed side of $\frac{7}{8}$ inches wide and $\frac{5}{8}$ inches deep. The clear dimensions of the panel on its unexposed side was 2 ft. 2 in. wide and 5 ft. 7 in. high.

The specifications for the construction of the door were as follows:

Stiles

The stiles are manufactured of pressed No. 18 U.S. gauge steel with returns to engage in "SUPERIOR" rolled interlock key member. Key members run full length of stiles and rails.

Panels

Panels are constructed of two sheets of 18 U.S. gauge steel, which in the case of the $1\frac{1}{4}$ " door are separated by a $\frac{1}{4}$ " and $\frac{1}{8}$ " sheet asbestos mill-board, making an overall panel thickness of approximately $17/32$ ". Doors are constructed on one (1) or more panels. Panel mouldings are of varying profiles to suit the architectural requirements, but the basic dimensions shall remain the same.

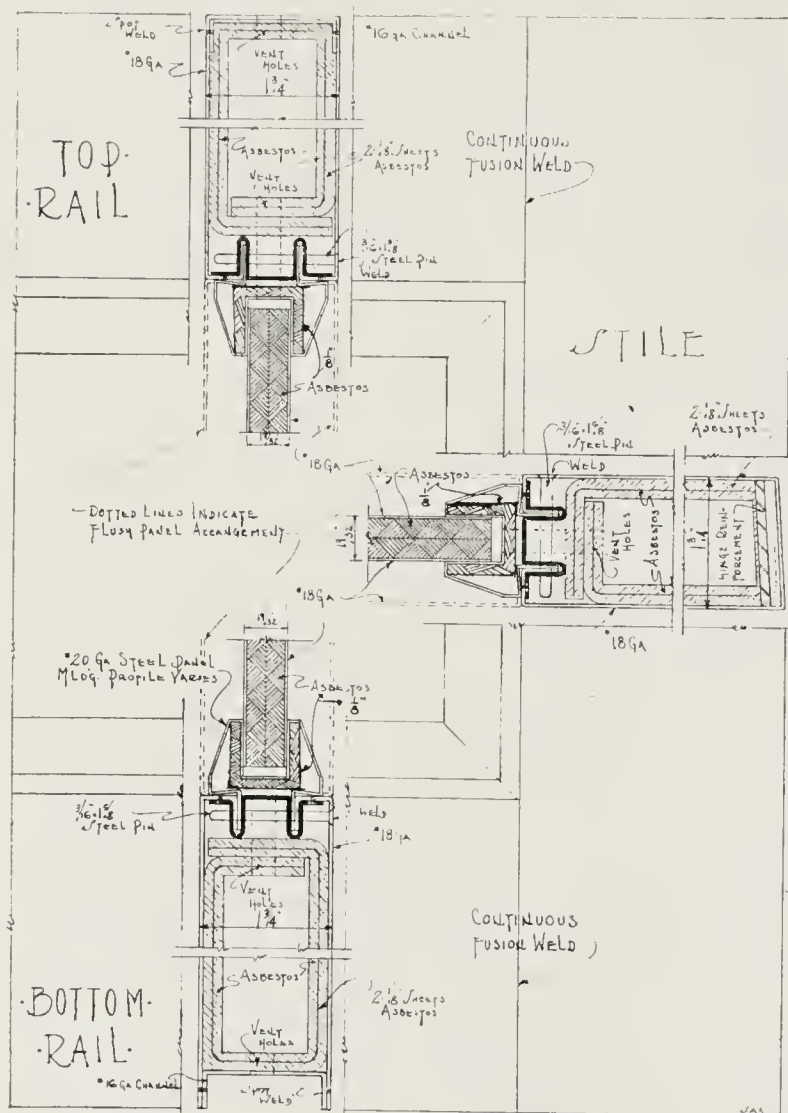


FIGURE 2

In the case of the $1\frac{1}{4}$ inch door (See Fig. 2), panels are formed of two (2) sheets of $\frac{1}{4}$ inch asbestos, back to back, between the exterior sheets of the 18 U.S. Gauge steel, producing a panel thickness of approximately $19/32$ inch. Into the panel moulding, rolled asbestos $\frac{1}{8}$ in. thick is so placed as to fully surround the interior of the panel moulding rabbet.

Panels are set into separately rolled panel moulding of 20 U.S. gauge steel which is assembled to the panel and fusion welded at the corner before assembly of the door. These panels with mouldings attached thereto are then inserted into the stiles and rails and are locked thereto by means of $3/16$ " thick steel pins, four (4) in each stile and

and (1) in each cross rail with head dressed down and electric arc welded to face of stiles and rails. The joints between the stiles and rails are then fusion welded and finished to a smooth surface.

Insulation

Panel insulation is of asbestos with thicknesses described above. In all stiles and rails, a $\frac{1}{4}$ " sheet or $2-\frac{1}{8}$ " sheets of asbestos are inserted and formed around to the contour of the stile and rail.

Hardware

Cutouts are provided for hinges and locks. This is done at the factory to templates. Reinforcing plates $3/16$ " thick properly drilled and tapped are welded in place at all hinge cutouts. Reinforcing plates of No. 14 U.S. gauge steel, of suitable size, are welded in place at the lock cutout. These reinforcements are provided with necessary holes, drilled and tapped for securing the lock in place.

Ventilation of the panel and stiles is provided by $\frac{1}{4}$ inch holes placed 6 inches on centers around entire panel recess.

Frame

Door is hung in No. 16 U.S. gauge steel or heavier steel combination buck and trim, complete with hardware reinforcements for hinges and lock set, welded to the jamb portion.

All reinforcing plates for hinges are not less than $3/16$ " thick. The lock set reinforcements is not less than .104 in.

Three (3) steel anchors are provided on the hinge and strike side of the door frame respectively.

A cabinet jamb arrangement, or buck with applied trim, all of similar construction to the above may be substituted with a frame with integral trim where required.

Dimensions of Test Door

Jamb opening size, $3'-2" \times 7'0" \times 1\frac{1}{4}$ inch.

Net overall dimension of door $3' 13\frac{1}{4}" \times 6' 11\frac{5}{8}"$.

Tests of the sample selected were performed at the laboratories of the Protexol Testing Laboratory at Kenilworth, N. J., (report filed herewith) under the supervision of Mr. Rolling C. Bastress, Director of the laboratory. These tests were conducted in accordance with the requirements of Group 5, Subart. 1 of Art. 10, Administrative Code, entitled "Fire Resistive Construction."

The door was set in a steel door frame (set in the masonry of the furnace) and hung on No. 20 Rixson Pivot hinges with a clearance of $3/16$ inches at the sides, $\frac{1}{4}$ inch at top of lock side and $\frac{1}{8}$ inch on hinge side; $1/16$ inch at the bottom on lock side and $\frac{1}{4}$ inch near hinge box and $5/16$ inch over hinge box. The average bottom clearance excepting immediately over the hinge box was in accordance with simplified Practice Recommendations R82-28 U.S. Dept. of Commerce, but the side and top clearances were from $3/32$ to $\frac{1}{8}$ inch in excess of these recommendations. The $1\frac{1}{4}$ inch door may be hung with not less than one and one-half pairs of 5 inch by 4 inch steel butts.

The door was fitted with a Yale mortise latch having a throw of $\frac{3}{4}$ inch but without any bolt. For intermediate support of the hinge side of door a metal lug or pin was secured in the edge of the door to match an opening in the jamb.

The test furnace was a brick structure 10 ft. by 12 ft. by 2 ft. with a swinging door having an opening 62 inches by 93 inches for receiving the test sample. Gas flames were applied with suitable controls for regulating temperature.

TEST.

The test was then conducted in conformity with the standard time temperature curve and maintained within the 5% area tolerance for the three-hour period. The average rise of temperature at the end of three-quarters of an hour was 661°F . on the unexposed side. In this instance, it is well to remember that this door was located within a partially ventilated vestibule, simulating a small lobby as commonly encountered in apartment houses (except that the apartment house vestibule would probably be better ventilated) in which the temperature at the end of 45 minutes was approximately

(Minutes continued on page 164)

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

- 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.

- 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

- 2.12 **FIRE RETARDING MATERIALS**:

- 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

- 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

- 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

- 2.12.4 **Note**—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.

- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.

- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.

- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

RULES

- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), by or using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tanks may be provided with a three-quarter and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$P \times r \times F$$

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5 5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6 2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the tap of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7 5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plants, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

MINUTES

(Continued from page 156)

122°F. The atmospheric temperature at the beginning of the test was 32°F.

At the end of three hours the door was subjected to the standard hose stream test by means of a supply from a fire hydrant through 150 ft. of standard 2½ inch fire hose having a nozzle with a smooth 1⅝ inch bore. The required pressure of 30 lbs. per sq. in. at nozzle was obtained by checking the tables of the National Board of Fire Underwriters which, with the hose conditions at hand, required a pressure of 47 lbs. at the hydrant. The pressure was checked by a gauge at the hydrant. The stream was applied for a period of one minute, without any appreciable effect on the door. After the hose stream test, the lock was opened and the door swung freely on its hinges. This test resulted in a warping of the stile which held lock about one inch at top and bottom. Throughout the test there was no large quantity of smoke but there was a slight flame through the moulding about 6 inches above the top of the bottom rail, due to use of charcoal to increase heat of fire.

On the basis of this test and the requirements of C26-610.0 (10.1.18) Administrative Building Code, the committee recommends the approval of the Connell Hollow Metal Fire Door, as made by the applicant at their plant located at College Point, New York, as having met the requirements for a rating of 3 hours, for use as a protection of openings in fire walls, under C26-660 (10.8.1), Administrative Building Code and as a protection of opening in fire partitions (1½ hours), under C26-661.0 (10.8.2), and as a protective opening in fireproof partitions (¾ hour) under C26-662.0 (10.8.3), when constructed and hung strictly in accordance

with the specifications set forth herein and as shown in Figure 1, or the similar and heavier construction as shown in Figure 2, when used in single openings. The Committee also recommends the approval of such doors for use under the Multiple Dwelling Law, which provides for a rating of one hour when used in fireproof partitions. All opening protective assemblies manufactured under this approval, shall be marked and inspected as provided for in the Opening Protective Assembly Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material:

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Connell Three Hour Hollow metal Fire Door, *on condition*, that the material be manufactured, installed and labelled stamped or tagged in accordance with above report.

Recessed at 4:40 P.M. to Friday, January 26, 1940, at 10 A.M. Reconvened, January 26, 1940, at 10 A.M. Adjourned, 10:25 A.M.

JOSEPH J. DOYLE, Chief Clerk.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building,
New York City.

Vol. XXV	Subscription \$2.50 a year	FEBRUARY 6, 1940	Single Copies, 5 cents By Mail, 8 cents	No. 6
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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELLIGOTT
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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Factory Exit Rules.
Smoking in Factories, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET.

New Cases Filed up to January 30, 1940.

Cal. No. Department. Premises Affected.
80-40-BZ....H.B.Bx....2900-2926 Olinville avenue, south-east corner of Wilgus avenue (Block No. 4542, Lot Nos. 7 and 14), Borough of The Bronx.
Decision—re Certificate of Occupancy.

81-40-A.....F.D.....128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57½), Borough of Manhattan,
19724-L.C. and Decision.

82-40-BZ....H.B.B.....58 East 18th street, west side, 161 ft. 9⅞ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn,
Drop Curb Applic. 9345-39.

83-40-S.....F.D.....51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens,
2633-L.F. and Decision.

84-40-A.....F.D.....78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan,
6257-L.F. and Decision.

85-40-A.....F.D.....11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan,
Decision—re 16624-L.C.

86-40-SM.....Zurn Greaseptor, Figures Z-1170 and Z-1171 (Grease Trap), manufactured by J. A. Zurn Manufacturing Company,
Material.

87-40-A.....H.B.Q....36-05 to 36-15 36th avenue, northwest corner of 37th street (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens,
Misc. Applic. 9504-39.

88-40-BZ....H.B.B.....1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No.

3436, Lot Nos. 24 and 26), Borough of Brooklyn,
Applic. 3069-39.

89-40-SM....."Bell" Concrete Building Units (Hollow and Solid Cinder Concrete), manufactured by H. W. Bell Company,
Material.

90-40-A.....H.B.B.....498-500 Atlantic avenue, south side, 225 ft. west of Third avenue (Block No. 185, Lot No. 16), Borough of Brooklyn,
B.N. 8488-39.

91-40-SM.....Oxweld W-29 Welding Blowpipe, Purox Welding Blowpipe Nos. 33 and 34 and Cutting Attachments CA-33 and CA-34, Prest-O-Weld C-108 Cutting Blowpipe, Prest - O - Weld Welding Blowpipe W-108 and W-109 and CW-108 and CW-109 Cutting Attachments, Oxweld MP-5 Stationary Acetylene Generator, Oxweld MP-7 Portable or Stationary Acetylene Generator and Oxweld MP-9 Portable Acetylene Generator, manufactured by The Linde Air Products Company,
Material.

92-40-SA.....Carrier Home Weathermaker, Type 58C4 (Stoker-fired),
Appliance.

93-40-SA.....Carrier Home Weathermaker, Type 58C4 (Oil-fired),
Appliance.

94-40-SA.....Carrier Automatic Stoker, Type 63C,
Appliance.

95-40-BZ....H.B.M....41-49 West 58th street, north side, 151 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan,
Decision—re Certificate of Occupancy.

96-40-A.....H.B.B.....172-236 First street, 229-293 Third street, 321-359 Third avenue and 338 Fourth avenue (Block No. 968, Lot No. 1), Borough of Brooklyn,
N.B. 105-40.

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- 97-40-SM.....Dahlstrom Hollow Metal Door Assemblies (3 hour Swing Doors), manufactured by Dahlstrom Metallic Door Company, Material. (Block No. 618, Lot No. 1), Borough of Brooklyn, Decision—re 80369-L.C.
- 98-40-SM.....Dahlstrom Hollow Metal Door Assemblies (Elevator Entrances-sliding-1½ hour Elevator Doors), manufactured by Dahlstrom Metallic Door Company, Material.
- 99-40-BZ....H.B.B....163-165 Boerum street, north side, 200 ft. east of Graham avenue (Block No. 3071, Lot Nos. 32 and 33), Borough of Brooklyn, Drop Curb Applic. 9164-39.
- 100-40-BZ....H.B.Bx....3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx, N.B. 1073-39.
- 101-40-SA.....Carrier Gas Fired Unit Heater, Type 46J, Appliance.
- 102-40-SA.....Carrier Water Heater, Types 60B, 60B4 and 60B5, Appliance.
- 103-40-A.....F.D.....294 Bowery, west side, 88 ft. 6 in. north of East Houston street (Block No. 521, Lot Nos. 84 and 85), Borough of Manhattan, 1970-L.F. and Decision.
- 104-40-SM.....Plastic Rock (Certified), Nos. 225, 221 and 229, manufactured by United Laboratories, Inc., Material.
- 105-40-BZ....H.B.Bx....650 Tiffany street, east side, 350 ft. north of Randall avenue (Block No. 2765-A, Lot No. 123), Borough of The Bronx, N.B. 219-34.
- 106-40-BZ....H.B.R....341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond, N.B. 213-39.
- 107-40-A.....F.D.....744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn, Decision—re 80369-L.C.
- 108-40-A.....F.D.....60-74 East 10th street, 772-786 Broadway, 60-74 Fourth avenue and 71-91 East 9th street and east side of Broadway, entire block from East 9th street to East 10th street (Block No. 555, Lot No. 1), Borough of Manhattan, 3896-L.F.
- 109-40-A.....F.D.....35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn, 3896-L.F.
- 110-40-A.....F.D.....1200 Castleton avenue, south side, 105 ft. west of Roe street (Block No. 211, Lot No. 39), West New Brighton, Borough of Richmond, Decision—re 5039-L.F.
- 111-40-S.....H.B.Bx....300-306 East 145th street, southwest corner of College avenue (Block No. 2325, Lot No. 14), Borough of The Bronx, Viol. 148-39 and Decision.
- 112-40-A.....H.B.Q....111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens, Misc. Applic. 382-40.
- 113-40-SA.....Pyrene and Vangarde One-Quart Fire Extinguishers, Appliance.
- 114-40-SM.....Leitch Asphalt Tile, manufactured by Leitch Manufacturing Company, Material.
- 115-40-SM.....Economy Ferrule (Plumbing Device), manufactured by Charles Price, Material.
- 116-40-SM.....Coyne and Delany Vacuum Breaker, No. 95, manufactured by Coyne and Delany Company, Material.
- 117-40-A.....H.B.Bx....West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No.

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- 350), Borough of The Bronx
(Under Section 35, General
City Law—re Bed of Mapped
Street), Alt. 952-39.
- 118-40-A.....H.B.Bx....West side of Cabot street, 205.92
ft. south of Oak Point ave-
nue (Block No. 2605, Lot No.
350), Borough of The Bronx
(Under Section 35, General
City Law—re Bed of Mapped
Street), Alt. 3-40.
- 119-40-S.....H.B.Bx....West side of Cabot street, 205.92
ft. south of Oak Point ave-
nue (Block No. 2605, Lot No.
350), Borough of The Bronx,
Alt. 3-40.
- 120-40-A.....H.B.Bx....West side of Cabot street to 138
ft. west of the west side of
Truxton street and 82.03 ft.
south of Oak Point avenue to
East River (Block No. 2605.
Lot No. 350 and part of Lot
No. 2, and Block No. 2606,
part of Lot No. 3), Borough
of The Bronx (Under Section
35, General City Law—re
Bed of Mapped Street),
N.B. 1-40.
- 121-40-S.....H.B.Bx....West side of Cabot street to 138
ft. west of the west side of
Truxton street and 82.03 ft.
south of Oak Point avenue to
East River (Block No. 2605,
Lot No. 350 and part of Lot
No. 2, and Block No. 2606,
part of Lot No. 3), Borough
of The Bronx,
N.B. 1-40.
- 122-40-GR.....Re Interpretation as to Com-
bustible Lath,
General Resolution.

Restored to Calendar.
- 282-35-BZ....H.B.B.....1159-1167 Utica avenue and 5002-
5010 Clarendon road, south-
east corner (Block No. 4771,
Lot Nos. 1 and 78), Borough
of Brooklyn,
Applic. 11258-35.
- 1178-38-BZ....H.B.Bx....3548-3552 Jerome avenue, east
side, 50 ft. south of East 212th
street (Block No. 3328, Lot
Nos. 28 and 29), Borough of
The Bronx,

Decision—re Certificate of
Occupancy.

- 116-38-BZ....H.B.M....312-338 West 59th street, south
side, 114 ft. 10½ in. west of
Broadway (Block No. 1049,
Lot Nos. 44-56, inclusive).
Borough of Manhattan,
Applic. 12-38.
- 1381-39-A.....H.B.Q....1620 Centre street, south side, 175
ft. east of Wyckoff avenue
(Block No. 3551, Lot No.
18), Ridgewood, Borough of
Queens,
Misc. Applic. 6582-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

COURT DECISION.

In re Parkway Centre Bldg. Corp'n (Murdock)—On September
27, 1938, on rehearing, Board denied gasoline station in business
district, under section 21, Cal. No. 5-28-BZ, premises 384-388 Haw-
thorne Street, s.w. cor. New York Avenue, Brooklyn. Mr. Justice
Wenzel granted order vacating certiorari order (N.Y.L.J., Feb.
3, 1940).

RULES

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Concrete Flat Slabs. RulesJuly	13, 1937—Vol. 22, No. 28
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Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
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Fire Retarding Rules for Garages. etc.Jan.	23, 1940—Vol. 25, No. 4
Fireproof Wood, Testing ofApr.	13, 1937—Vol. 22, No. 15
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Platform Trucks, Specifications for Nov.	24, 1936—Vol. 21, No. 47
Plumbing RulesAug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply).....Nov.	7, 1939—Vol. 24, No. 45
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Refrigerating Systems, Extract A.C.Oct.	10, 1939—Vol. 24, No. 41
Smoking in Factories, Rules for Feb.	6, 1940—Vol. 25, No. 6
Sprinkler RulesJune	29, 1937—Vol. 22, No. 26
Standpipe Fireline RulesJune	8, 1937—Vol. 22, No. 23
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Tank Trucks, Fuel Oil, etc.Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)Apr.	10, 1923—Vol. 8, No. 15

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Fuel Oil Burners for Domestic and Commercial Use	Aug.	29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Oct.	3, 1939—Vol. 24, No. 40
Fuel Oil Burners for Industrial Use	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Jan.	23, 1940—Vol. 25, No. 4
Gas Heaters	Aug.	29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov.	14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov.	7, 1939—Vol. 24, No. 45

FEBRUARY 6, 1940, 10 A.M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 767-39-BZ—Application, June 9, 1939; dismissed for lack of prosecution December 19, 1939; reopened and restored to calendar January 3, 1940, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Philip Levison and Estate of Benjamin Anchell, owners (Thomas Kallenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 675-22-BZ—Application of Otto A. Staudt, appli-

cant, on behalf of Herman Stursberg Realty Company, owner; reopened January 3, 1940, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system; premises 250-272 Willis avenue, east side, between East 138th street and East 139th street, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue, and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 92-36-BZ—Application of Hirsh, Newman, Reass and Becker, applicants, on behalf of Consolidated Biological Products, Inc., owner, reopened July 5, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board); premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

CAL. NO. 433-39-BZ—Application, April 4, 1939, under sections 7h and 21 of the building zone resolution, of Bernard Shatzkin, applicant, on behalf of Maribert Realty Corporation and Lever and Sidway, Inc., owners, to permit, partly in a business use district and partly in an unrestricted use district, the parking of more than five (5) motor vehicles; premises 225 Nagle avenue, southeast corner of Academy street, block bounded by Academy street, Nagle avenue, Tenth avenue and West 204th street (Block No. 2216, Lot Nos. 1, 7, 11, 15, 24, 27 and 42), Borough of Manhattan.

CAL. NO. 702-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Holy Name Mission of the Bowery District, Inc. and Second Street Holding Company, Inc., owners, to permit in a business use district, for a

CALENDAR

temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 7-19 East 2nd street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13 to 19, inclusive), Borough of Manhattan.

CAL. NO. 1332-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 30-32 Willett street, southeast corner of Delancey (Marginal) street (Block No. 337, Lot Nos. 38, 40 and 41), Borough of Manhattan.

CAL. NO. 872-39-BZ—Application, June 28, 1939, under sections 7h and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Berk Bres Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a gasoline service station; premises 7001-7019 Bay Parkway, southwest corner of West 10th street, and 1-21 Avenue "O" (Block No. 6574, Lot No. 6), Borough of Brooklyn.

CAL. NO. 877-39-BZ—Application, June 29, 1939, under section 7a of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Max Kahn, owner (Family Laundry Service, Inc., lessee), to permit in a residence use district the erection and maintenance of a pit for a pre-heating water coil used in conjunction with the existing laundry on the premises and, also, the maintenance of an existing frame shed; premises 1059-1063 63rd street, north side, 140 ft. west of Eleventh avenue, and 1062-1064 62nd street (Block No. 5730, Lot No. 32), Borough of Brooklyn.

CAL. NO. 1204-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolution, of Edward J. Hurley, applicant, on behalf of Chiara Catella, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to 4225 Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx.

CAL. NO. 1421-39-BZ—Application, November 17, 1939, under section 7h of the building zone resolution, of John McBride, applicant and lessee, on behalf of Fordbrad Realty Company, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years,

the parking and storage of more than five (5) motor vehicles; premises 90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 624-38-BZ—Application, July 14, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Arthur J. Largy, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

CAL. NO. 628-39-BZ—Application, May 16, 1939, under sections 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

CAL. NO. 1256-39-BZ—Application, October 11, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Morris Rosen, owner, to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Thomas I. Sheridan, applicant and lessee, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1940, 2 P.M.

Appeals from Administrative Decisions.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

CALENDAR

1473-39-A—Re transportation and sale of gasoline in Tank Trucks (not of approved type) in New York City.

21-40-A—163 South street, west side, 20 ft. 4 in. north of Dover street (Block No. 108, part of Lot No. 8), Borough of Manhattan.

1509-39-A—2581 Richmond terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond.

76-40-A—316 Pleasant avenue, east side, 25 ft. south of East 117th street (Block No. 1715, Lot No. 49), Borough of Manhattan.

24-40-A—1860 74th street, south side, 128 ft. west of 19th avenue (Block No. 6216, Lot No. 35), Borough of Brooklyn.

39-40-A—665 East 17th street, east side, 156 ft. $\frac{7}{8}$ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

13-40-A—112-23 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

54-40-A—Southeast corner of Davidson street and Mercereau avenue (Block No. 1242, Lot No. 5), Arlington, Borough of Richmond.

125-40-A—59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn.

1540-39-A—30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55, Borough of Manhattan.

53-40-A—72-74 Horatio street, south side, 94 ft. 5 in. west of Greenwich street (Block No. 642, Lot No. 52), Borough of Manhattan.

FEBRUARY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, February 14, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1245-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Victor Mayer, applicant, on behalf of Ojar Holding Corporation, owner, to permit in an unrestricted use

district and, also "B" area district, the erection and maintenance of a fire tower in a required rear yard; premises 213-217 East 37th street, north side, 180 ft. east of Third avenue (Block No. 918, Lot Nos. 10, 11 and 12), Borough of Manhattan.

CAL. NO. 1199-39-BZ—Application, September 29, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Alfonso Furibondo, owner, to permit in a business use district, the extension of a garage for more than five (5) motor vehicles; premises 385 Douglass street, north side, 290 ft. west of Fifth avenue (Block No. 943, Lot Nos. 59 and 60), Borough of Brooklyn.

CAL. NO. 1293-39-BZ—Application, October 18, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of A. L. M. Development Corporation, owner (Jack Koenig, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1401-1407 Avenue "M", northeast corner of East 14th street, and 1402-1406 Chestnut avenue (Block No. 6735, Lot No. 121), Borough of Brooklyn.

CAL. NO. 1423-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Esther M. Kornblum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2102-2124 Avenue "Z", southeast corner of East 21st street (Block No. 7441, Lot No. 371), Borough of Brooklyn.

CAL. NO. 1051-39-BZ—Application, August 18, 1939, under section 21 of the building zone resolution, of Joseph Villano, applicant, on behalf of Joseph Villano and Sabbatina Villano, owners, to permit in a residence use district, the maintenance of ten (10) individual garages not an accessory use to a dwelling on the same plot; premises 2415 Wallace avenue, west side, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx.

CAL. NO. 562-37-BZ—Application of Frank G. Burger, applicant, on behalf of Foggin-Burger Land Company, Inc., owner, reopened December 5, 1939, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the extension of an existing business building and, also, the parking of more than five (5) motor vehicles; premises 1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

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CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 1533-39-A—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851 Lot No. 51), Glendale, Borough of Queens.
- 1475-39-A—234 East 54th street, west side, 260 ft. south of Linden boulevard (Block No. 4679, Lot No. 19), Borough of Brooklyn.
- 1506-39-A—44-14 Astoria boulevard south, southwest corner of 45th street (Block No. 717, Lot Nos. 29 and 34), Long Island City, Borough of Queens.
- 33-40-A—3008-3010 Church avenue, south side, 85 ft. 23¼ in. east of Nostrand avenue (Block No. 4884, Lot No. 1), Borough of Brooklyn.

26-40-A—545 West 20th street and 120-126 Eleventh avenue, northeast corner (Block No. 692, Lot No. 7), Borough of Manhattan.

51-40-A—102 East 30th street, south side, 60 ft. east of Fourth avenue (Block No. 885, Lot No. 87), Borough of Manhattan.

134-40-A—203 West 67th street, north side, 75 ft. west of Amsterdam avenue (Block No. 1159, Lot No. 28½), Borough of Manhattan.

1531-39-A—390-408 Morgan avenue and 370-416 Jackson street, southeast corner (Block No. 2887, Lot No. 1), Borough of Brooklyn.

90-40-A—498-500 Atlantic avenue, south side, 225 ft. west of Third avenue (Block No. 185, Lot No. 16), Borough of Brooklyn.

131-40-A—437 Columbia street, east side, 20 ft. north of West 9th street (Block No. 534, Lot No. 2), Borough of Brooklyn.

149-40-A—1464-1488 Linden boulevard, south side, 262 ft. 2 in. east of Rockaway avenue (Block No. 3644, part of Lot No. 26), Borough of Brooklyn.

1487-39-A—Southeast corner of Fernside place and Edgemere avenue (Wavecrest Convalescent Home—re Beeman, Cheever and Brinckerhoff Houses), (Block No. 266, Lot No. 20), Far Rockaway, Borough of Queens.

73-40-A—58-13, 58-17, 58-21, 58-25, 58-29, 58-33, 58-37, 58-41, 58-45 and 58-49 187th street, east side, 100 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Jamaica, Borough of Queens.

74-40-A—58-14, 58-18, 58-22, 58-26, 58-30, 58-34, 58-38, 58-42, 58-46 and 58-50 187th street, west side, 100 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Jamaica, Borough of Queens.

45-40-A-WF—103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens.

35-40-A—154-31 233rd street, east side, 150 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens.

36-40-A—154-36 233rd street, west side, 101.18 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens.

156-40-A—76-59 263rd street, northeast corner of 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive), Creedmore, Borough of Queens (Hillside Hospital).

Variation of the Labor Law.

72-40-S—231 Mercer street, west side, 175 ft. south of West 3rd street (Block No. 533, Lot No. 23), Borough of Manhattan.

CALENDAR

FEBRUARY 20, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 20, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 546-39-BZ—Application, May 2, 1939, under section 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Krikwen Realty Company, Inc., owner (Gulf Oil Corporation, lessee), to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage; premises 213-223 East 125th street, north side, 135 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan.

CAL. NO. 212-36-BZ—Application of Charles H. Bellows, applicant, on behalf of Estate of John E. Miller, owner (Joseph Rossi, lessee), reopened October 3, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board); premises 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 20, 1939, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station (previously withdrawn); premises 139-21 Springfield boulevard,

northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1154-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Oscar J. Haig, applicant, on behalf of Rosa Lanza, William R. Close and Lavinia Close, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a multiple dwelling; premises east side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1940, 2 P. M.

Appeal from Administrative Decision

1312-39-A—East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (Block No. 3381, Lot No. 41), St. Albans, Borough of Queens (Under Section 35, General City Law, re: Bed of Mapped Street).

FEBRUARY 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, February 23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolu-

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FEBRUARY 27, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- tion, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.
- CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.
- CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.
- CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.
- CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.
- CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.
- CAL. NO. 1356-39-BZ—Application, November 1, 1939, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Willess Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.
- CAL. NO. 190-19-BZ—Application of Interborough Engineering Company, applicant, on behalf of Joseph Lau, owner (Lau Motors, lessee), reopened May 9, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn.
- CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.
- CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brighton court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 1175-39-BZ—Application, September 25, 1939, under section 7h of the building zone resolution, of Abraham J. Halprin, applicant, on behalf of Sears Roebuck & Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

CAL. NO. 1362-39-BZ—Application, November 6, 1939, under sections 7h and 21 of the building zone resolution, of Charles W. Van Keuren, applicant, on behalf of Norma McCormack, owner (Joseph McLaughlin and Isidore Paley, lessees) to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 69 and 73), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 120-39-BZ—Application, February 2, 1939, under section 21 of the building zone resolution, of Charles Hofmann, applicant and lessee, on behalf of Cecelia Hofmann, owner, to permit in a business use district, the maintenance of a motor vehicle repair shop in part of an existing building; premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond.

CAL. NO. 105-40-BZ—Application, January 29, 1940, under

section 21 of the building zone resolution, of William Wilson Carpet Cleaning Service, Inc., applicant, on behalf of 650 Tiffany Street Corporation, owner, to permit in a business use district, the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage, and garage for five (5) motor vehicles; premises 650 Tiffany Street, east side, 350 ft. north of Randall avenue (Block No. 2765A, Lot No. 123), Borough of The Bronx.

HARRISH H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 2 P. M.

Appeals from Administrative Decisions.

117-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

118-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

120-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

Variations of the Labor Law.

119-40-S—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

121-40-S—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

MARCH 5, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 5, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 735-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Horace Ginsbern, applicant, on behalf of 179 Seventh Avenue Company, Inc., owner, to permit partly in a retail use district and partly in an unrestricted use district, for a temporary period of not

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more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160 West 21st street, south side, 85 ft. east of Seventh avenue and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 1446-39-BZ—Application, November 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Suburban Holding Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis (Cross Island) boulevard and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than

five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 8, 1940, 10 A. M.

Material Submitted for Approval

830-39-SM-NYK-A and NYK-B One-Hour Metal-Covered Fire Doors, approval of.

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building one resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolu-

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tion, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

APRIL 9, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 30, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board, held on Wednesday morning, January 3, 1940, and the minutes of the regular meeting of the Board, held on Wednesday afternoon, January 3, 1940, were approved as printed in Bulletin No. 2, Vol. 25.

BUILDING ZONE CASES.

738-38-BZ.

APPLICANT—Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners, (Socony-Vacuum Oil Company, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubricatory, auto laundry and for sale of accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M, (Block No. 7656, Lot No. 55 and part of Lot Nos. 15, 54, and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oscar W. Swift, Bertram Schleimer and Abram Schlefstein.

For Opposition: None.

ACTION OF BOARD—Laid over to April 9, 1940, 10 A.M., on request of applicant's representative.

586-39-BZ.

APPLICANT—Joseph B. Lynch, for Mary L. Moll and

Charles London, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street, (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

ACTION OF BOARD—Laid over to March 5, 1940, 10 A.M., for further consideration; also for applicant to amend application to include section 7g.

1318-39-BZ.

APPLICANT—Matthew W. Del Gaudio, for Anna Palermo, Anna Shields and Laura L. Dudley, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—8917-8921 Fourth avenue and 401-403 90th street, northeast corner, (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio, Anthony Palermo, J. P. Cosenga and Frank Ferrara.

For Opposition: James Cooley and Samuel P. Miller.

ACTION OF BOARD—Laid over to February 14, 1940, 10 A.M., for further consideration by the Board.

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1389-39-BZ.

APPLICANT—John F. Meehan, for Dollar Savings Bank of the City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2750 Bailey avenue and 260 West Kingsbridge road, southeast corner, (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to February 20, 1940, 10 A.M., no appearance for applicant.

1415-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Blackstone avenue, (Block No. 3418, Lot No. 805), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin, Louis L. Altman, John A. Larkin and Robert Williamson.

For Opposition: Thomas Nevins, Miss Anna Hutton, Mary Louise Field, Milton B. Eaulau, Cleveland E. Dodge, Jack Stanislaw, Martin R. Conboy, R. M. Field and Mavis C. Galle.

ACTION OF BOARD—Laid over to February 2, 1940, 10 A.M., without further argument at that time, for decision by the Board as to whether or not a new list of owners should be furnished and further notice given.

1416-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Blackstone avenue, 301 ft. south of West 246th street, (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin, Louis L. Altman, John A. Larkin and Robert Williamson.

For Opposition: Thomas J. Nevins, Anna Hutton, Mary Louise Field, Milton B. Eaulau, Cleveland E. Dodge, Jack Stanislaw, Martin R. Conboy, R. M. Field and Mavis C. Galle.

ACTION OF BOARD—Laid over to February 2, 1940, 10 A.M., without further argument at that time, for decision by the Board as to whether or not a new list of owners should be furnished and further notice given.

1417-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough super-

intendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—East side of Independence avenue, 285 ft. south of West 246th street, (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin, Louis L. Altman, John A. Larkin and Robert Williamson.

For Opposition: Thomas J. Nevins, Anna Hutton, Mary Louise Field, Milton B. Eaulau, Cleveland E. Dodge, Jack Stanislaw, Martin R. Conboy, R. M. Field and Mavis C. Galle.

ACTION OF BOARD—Laid over to February 2, 1940, 10 A.M., without further argument at that time, for decision by the Board as to whether or not a new list of owners should be furnished and further notice given.

1418-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southeast corner of West 246th street and Independence avenue, (Block No. 3418, Lot Nos. 805, and 825), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin, Louis L. Altman, John A. Larkin and Robert Williamson.

For Opposition: Thomas J. Nevins, Anna Hutton, Mary Louise Field, Milton B. Eaulau, Cleveland E. Dodge, Jack Stanislaw, Martin R. Conboy, R. M. Field and Mavis C. Galle.

ACTION OF BOARD—Laid over to February 2, 1940, 10 A.M., without further argument at that time, for decision by the Board as to whether or not a new list of owners should be furnished and further notice given.

1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district; the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Independence avenue, (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin, Louis L. Altman, John A. Larkin and Robert Williamson.

For Opposition: Jack Stanislaw, Miss Anna Hutton, Mary Louise Field, Milton B. Eaulau, Cleveland E. Dodge, Jack Stanislaw, Martin R. Conboy, R. M. Field and Mavis C. Galle.

ACTION OF BOARD—Laid over to February 2, 1940, 10 A.M., without further argument at that time, for decision by the Board as to whether or not a new

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list of owners should be furnished and further notice given.

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Independence avenue, 279.59 ft. south of West 246th street, (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin, Louis L. Altman, John A. Larkin and Robert Williamson.

For Opposition: Thomas J. Nevins, Anna Hutton, Mary Louise Field, Milton B. Eaulau, Cleveland E. Dodge, Jack Stanislaw, Martin R. Conboy, R. M. Field and Mavis C. Galle.

ACTION OF BOARD—Laid over to February 2, 1940, 10 A.M., without further argument at that time, for decision by the Board as to whether or not a new list of owners should be furnished and further notice given.

1057-39-BZ.

APPLICANT—Lama and Proskauer, for Chemical Bank and Trust Company and Marie Buckley, as sub-trustees u/w of Josephine Guidet Buckley for the benefit of Marie Buckley, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station, and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2002-2014 Neptune avenue and 2802-2820 West 20th street, southwest corner, (Block No. 7018, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

979-24-BZ.

APPLICANT—Saul Goldsmith, for Joseph A. Redmond and John J. Redmond, owners.

SUBJECT—Application reopened October 24, 1939, (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of a store (previously granted by the board for the conduct of retail business), to an undertaking establishment.

PREMISES AFFECTED—6930 Fourth avenue and 379 Ovington avenue, northwest corner, (Block No. 5872, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith, James H. Gilvary and John J. Redmond.

For Opposition: Vera E. Petersen, Patrick J. Grace.

Samuel Barnhart, George J. Earl and Rev. Frederick W. Poten.

ACTION OF BOARD—Application denied

THE VOTE TO GRANT—

Affirmative	3
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(979-24-BZ)

WHEREAS, Saul Goldsmith, for Joseph A. Redmond and John J. Redmond, owners, reopened October 24, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of a store, (previously granted by the Board for the conduct of a retail business), to an undertaking establishment, affecting premises: 6930 Fourth avenue, northwest corner of Ovington avenue, (Block No. 5872, Lot No 54), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show, that 4th avenue is in a residence and business use district; that Ovington avenue is in a residence use district; that Bay Ridge avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 4192-39, dated October 5, 1939, reads:

"1. Proposed conversion of cellar and 1st floor to undertaking establishment is contrary to conditional variation of Board of Standards and Appeals, 979-24 BZ."

and

WHEREAS, the existing building is of non-fireproof construction 3 stories in height, with a frontage of 20 ft. 7 in. and a depth of 82 ft. 2 in., irregular in area. It is proposed to alter and, also, to convert the occupancy of the cellar and 1st story of the existing building now occupied as a store on the 1st story and as dwellings above, to an undertaking establishment on the cellar and first story and as dwellings above; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship, for an amendment of the conditions of the resolution to permit the proposed use;

Resolved, that the decision of the borough superintendent of buildings, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

89-38-BZ.

APPLICANT—Isaac T. Flatto, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1682 Palmetto street and 714 Cypress avenue, southeast corner, (Block No. 3449, part of Lot No. 6), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Isaac T. Flatto and Herman Kron.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(89-38-BZ)

WHEREAS, Isaac T. Flatto, owner, filed February 14, 1938, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 1682 Palmetto street and 714 Cypress avenue, southeast corner, (Block No. 3449, part of Lot No. 6), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, January 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cypress avenue and Palmetto street are in business use districts; Woodbine street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings on Order No. 109-38, dated January 14, 1938, reads:

"Responding to your communication of the 10th inst. regarding Certificate of Occupancy to cover use of premises situated at the southeast corner of Palmetto street and Cypress avenue, Ridgewood, for parking space purposes, be advised that this location is situated in a business district, and the proposed use i.e. parking and storage of more than five motor vehicles, would be contrary to Subdivision 15, Section 4 of the Building Zone Resolution of the City of New York.

"Appeal, however, could be made to the Board of Standards and Appeals, Municipal Building, Chambers and Center streets, Manhattan."

and

WHEREAS, the premises, part of a larger parcel of property, consist of a plot of ground having a frontage of 80 ft. on Palmetto street and 100 ft. on Cypress avenue. It is proposed to occupy the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion to grant under section 7, subdivision h, of the Building Zone Resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under Section 7h, for a term of two years from the date of this action, to permit the northerly portion of the premises included in this application, for a depth of 65 ft. southerly from Cypress avenue, to be occupied for transient parking of more than five (5) automobiles, *on condition* that such parking be solely for the patrons of the Ridgewood Grove Stadium Club on the same plot; that no other parking or storage shall be permitted; that the entrance to this plot shall be restricted to present entrance from Cypress avenue; that proper aisle space shall be maintained at all times for ready ingress and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no signs advertising parking, shall be erected, except there may be at the entrance a sign reading: "Parking for the Patrons of the Ridgewood Grove Stadium Club Only"; that no additional curb cuts shall be installed, other than the existing one opposite the entrance; and that all permits shall be obtained and all work involved shall be completed within six months from the date of this resolution.

762-39-BZ.

APPLICANT—Sidney L. Strauss, for Emigrant Industrial

Savings Bank, owner (Paul Morra, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—338-340 East 8th street, south side, 83 ft. west of Avenue C, (Block No. 390, Lot Nos. 27 and 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: Thomas R. Hogan, Joseph Segal, Peter A. Walsh, Thomas I. Naughton and David E. Samuels.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(762-39-BZ)

WHEREAS, Sidney L. Strauss (Paul Morra, lessee), for the Emigrant Industrial Savings Bank, owner, filed June 9, 1939, an application under section 7h of the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 338-340 East 8th street, south side, 83 ft. west of Avenue C, (Block No. 390, Lot Nos. 27 and 28), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 7th and East 8th streets are in business, retail and residence use districts; Avenue C is in a business, retail and unrestricted use district; Avenue B is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 25, 1938, and as amended May 10, 1939, reads:

"Answering your letters of March 2nd and May 8th, 1939, with reference to the above premises and stating that the thirty day period has expired in which to take an appeal to the Board of Standards and Appeals for a permit to use the above premises for the parking and storage of more than five motor vehicles, you are advised this department has no authority to extend such time and our denial of August 25, 1938 is herewith repeated:

"Your application dated August 15, 1938, for a certificate of occupancy for the use of the above premises for the parking and storage of more than five motor vehicles has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Article 2, Section 4a, subdivision 15 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 97 ft. 6 in. It is proposed to use the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to surrounding conditions; and

WHEREAS, the Board deemed that this was not a proper case in which to exercise its discretion to grant under section 7, subdivision h of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

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823-39-BZ.

APPLICANT—Charles J. Johnson, for Messmore Kendall, owner, (Northeast White Tower System, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 231-235 West 50th street, north side, 255 ft. east of Eighth avenue, (Block No. 1022, Lot Nos. 12 and 13 and part of Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: David Raynd and John J. Weber.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(823-39-BZ)

WHEREAS, Charles J. Johnson (Northeast White Tower System, Inc., lessee), for Messmore Kendall, owner, filed June 20, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 231-235 West 50th street, north side, 255 ft. east of 8th avenue, (Block No. 1022, Lot Nos. 12, 13 and part of 5), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting January 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 50th street and West 51st street are in business and retail use districts; 8th avenue and Broadway are in retail use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated June 6, 1939, reads:

"In answer to your letter of May 31, 1939, relative to application for a certificate of occupancy which you filed in this department for the use of the above premises for the parking and storage of more than five motor vehicles, please be advised said application has been denied as this occupancy is contrary to Article 2, section 4a, subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 58.5 ft. and a depth of 100.5 ft. It is proposed to use the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7h, to permit the premises to be occupied for the transient parking of motor vehicles, on condition, that such motor vehicles shall be restricted to those of the pleasure car type; that the plot shall be levelled substantially to the grade of West 50th street and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that

on the interior lot lines, where wall of adjoining buildings do not occur, there shall be erected a substantial woven wire fence with steel posts not less than 6 ft. in height; that a similar fence shall be erected along the street building line continuously, except for an entrance not over 20 ft. in width, with curb cut opposite of a similar width; that during the term of this permit the premises shall be occupied for no use other than as herein permitted; that no signs shall be erected, except a sign attached to the fence at the entrance, advertising the transient parking use, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line; that proper aisles shall be maintained at all times for ready ingress and egress, to preclude the necessity of moving cars out into the street for shifting purposes; that there may be erected on the plot a building solely for occupancy as office and shelter for the attendant, provided such building does not exceed 150 sq. ft. in area, and not over one story in height; that such building may be of frame, provided it is covered on the exterior with incombustible material; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

845-39-BZ.

APPLICANT—Sidney H. Kitzler, for Harris Goody Realty Co., Inc., owner, (Jack Nelson, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner, (Block No. 1308, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(845-39-BZ)

WHEREAS, Sidney H. Kitzler, (Jack Nelson, lessee), for Harris Goody Realty Co., Inc., owner, filed June 23, 1939, an application under section 21, of the building zone resolution, to permit in a business use district the erection of an accessory building on an existing gasoline service station; premises: 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner, (Block No. 1308, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting January 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Empire boulevard and Rogers avenue are in business use districts; Sullivan place is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on Applic. No. 1451-1939, dated June 20, 1939, reads:

"Proposition for erecting new building to be used as an enclosure for grease pits in an existing gas station located in a business use district, is contrary to B.Z. Res. Art. II, 4a(46)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 101 ft. on Empire boulevard and 101 ft. on Rogers avenue. Upon the plot are located a 3 car metal garage, a parking space for 2 cars, a one story building 24

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ft. 6 in. by 31 ft. in area, occupied as an auto laundry and office, and also, three open grease pits; the remainder of the plot is occupied as a gasoline service station. It is proposed to enclose the grease pits with a one story building 38 ft. by 33 ft. in area and to continue the use of the premises as now developed; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7c, to permit the construction of the proposed accessory lubritorium building located and constructed substantially as shown on plans filed with this appeal, on condition, that this building shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no openings in the wall on the lot line to the north; that there shall be no open excavation under the building, except for the open pits for the greasing racks; that no doors shall be constructed unless a ventilating system is provided from the greasing pits up through the roof, with any motor driven fan of the spark-proof type; that there shall be constructed along the building line of Rogers avenue, from the northerly lot line for a distance of at least 30 ft., a curbing not less than 1 ft. in height and width; that the space between such curbing and the wall of the lubritorium building shall be landscaped; that the existing curb cut toward the north may be re-located south-erly, provided the curb is restored at the existing curb cut; that any additional gasoline pumps erected shall not be nearer than 15 ft. to any street building line; that no additional buildings or uses shall be established on the premises other than those now legally existing; that battery charging may be permitted in this proposed accessory building; that no repairing of motor vehicles shall be allowed on the premises; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Adjourned: 2:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 30, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

282-35-BZ.

APPLICANT—Paul Friedman, for Bay Parkway Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and rehearing on alleged new facts—re Application (decision of the commissioner of buildings), previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station (Board's decision reversed by Court).

PREMISES AFFECTED—1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner, (Block No. 4771, Lot Nos. 1 and 78), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN:

Affirmative: Commissioners Savage and Blum
and Assistant Chief Walsh 3
Negative: Chairman Murdock 1

116-38-BZ.

APPLICANT—Jerome A. Lawrence, for Central Savings Bank in the City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—312-338 West 59th street, south side, 114 ft. 10½ in. west of Broadway, (Block No. 1049, Lot Nos. 44-56 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Jerome A. Lawrence.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

1178-38-BZ.

APPLICANT—Robert J. Farrington, for Seymarn Realty Corporation, owner.

SUBJECT—Application for consideration—reopening under new proposal (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously denied re erection of gasoline service station).

PREMISES AFFECTED—3548-3552 Jerome avenue, east side, 50 ft. south of East 212th street, (Block No. 3328, Lot Nos. 28 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward J. Stauffer and Robert J. Farrington.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

307-39-BZ.

APPLICANT—Jerome A. Lawrence, for Central Savings Bank, owner, (Fraberg Parking Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—315-347 West 58th street, north side, 220 ft. 6 in. west of Eighth avenue, (Block No. 1049, Lot Nos. 9 to 13, inclusive, 13½, 14 to 20, inclusive, 22 and 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Jerome A. Lawrence.

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ACTION OF BOARD—Application withdrawn, on request of applicant.

THE VOTE TO WITHDRAW:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

34-35-BZ.

APPLICANT—Irving Fenichel, for Ken-Isle, Inc., owner.
SUBJECT—Application for consideration—reopening and amendment—re (decision of the borough superintendent of buildings)—re Application, previously granted on condition, under sections 7a and 21 of the building zone resolution, permitting on a plot of ground, located in a business and residence use district, on which is located a dry cleaning and dyeing establishment, the erection of an extension to the dry cleaning and dyeing building, a garage for more than five (5) motor vehicles and the erection of an additional dyeing and dry cleaning building and accessory tanks, etc.

PREMISES AFFECTED—18-05 11th avenue (Cross Island boulevard), east side, 800 ft. south of Locke avenue (Block No. 4729, Lot No. 46; Block No. 4732, Lot No. 9; Block Nos. 4746 and 4747, Lot No. 1), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Irving Fenichel and I. Paul.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(34-35-BZ)

WHEREAS, this application affecting premises 18-05 11th avenue (Cross Island boulevard), east side 800 ft. south of Locke avenue (Block No. 4729, Lot No. 46, Block No. 4732, Lot No. 9, and Block Nos. 4746 and 4747, Lot No. 1), Whitestone, Borough of Queens, was granted by the board June 11, 1935, on certain conditions, time to complete work extended June 30, 1936, and applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 11, 1935, as amended June 30, 1936, and Feb. 2, 1937, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7, subdivision A of the building zone resolution, permitting the extension of an existing building and existing use thereof and an additional building into the residential area, on condition that such extension shall not extend beyond a line parallel to 11th avenue, known as Cross Island boulevard and 350 feet easterly therefrom; that such extensions of use shall consist of an extension of an existing boiler-room and a building described as "Unit A" as indicated on plans filed with this application; that the sprinkler system shall be extended to the proposed additions and shall be maintained in all buildings to the satisfaction of the administrative official; that all laws and regulations applicable to the construction and use of the building shall be complied with, including the provisions of the Industrial Code insofar as they have legal application and including the conditions imposed by this board in acting on calendar numbers 640-27-A

and 86-31-A; that no part of the building known as Unit A used for deterging shall be nearer than 50 feet from the southerly line of proposed 17th road; that there shall be constructed in connection with the tumbler room a cyclone system to collect lint and that such refuse material shall be collected in a suitable fireproof storage bin and removed entirely from the premises under this ownership at frequent intervals or that in lieu of such cyclone a sedimentation chamber may be installed, as approved by the State Department of Labor under the date of January 9, 1937, File No. 361139; that the detergent building "A" shall be of complete fireproof construction; that the extension to boilerroom shall be of fireproof construction, separated by fireproof walls from the balance of the existing building; that this variation shall continue only so long as the existing and proposed buildings are occupied by the present tenant, Kent Stores, Inc., and so long as the buildings are not further increased in height or area; that the decision of the commissioner of buildings, rendered in acting on Appl. No. 88-35 insofar as it refers to the variance in connection with the private garage designated as "Unit B," be and it hereby is affirmed and that the application as to this item be denied;

Resolved further, that in the event the owner desires to construct 'Unit A' in two sections and to change the proposed use of the easterly portion, so that such portion will be used only for the receiving of articles to be cleaned, such change may be permitted, provided a wall of fireproof material shall be constructed, separating such portions of the building; that such wall shall extend from floor to roof; that the roof of such easterly portion may be of non-fireproof construction, provided such portion is not used for the storage of any inflammable liquids, and that the time for obtaining permits and completing work is hereby extended for six (6) months from the date of this amended resolution."

271-37-BZ.

APPLICANT—John R. Davies, for American Refining Company, lessee, for The Real Estate Trust Company of Philadelphia, (trustee under the will of George H. Earle, Jr.) owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a retail use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—123-127 West 47th street, north side, 220 ft. west of Sixth avenue, (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

APPEARANCES—

For Applicant: John R. Davies.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(271-37-BZ)

WHEREAS, Samuels and Samuels, for The Real Estate Trust Co. of Philadelphia, trustee under will of George H. Earle, Jr., filed June 7, 1937 an application under the building zone resolution to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 feet west of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan; and

WHEREAS, the application was granted by the Board at its meeting November 23, 1937, on certain conditions, resolution amended October 25, 1938, and applicant requested an

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extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on November 23, 1937, as amended Oct. 25, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h for a period of two years from November 23, 1939, to permit the plot under appeal to be used for transient *parking, on condition* that during the term of this variance, the plot shall be used for no other purpose; that the plot shall be leveled substantially to the grade of West 47th street and shall be surfaced with steam cinders or other suitable material, properly rolled and bound so as to prevent dusting and properly graded so as to provide surface drainage; that the entrance to the premises shall be approximately at the center of the frontage and shall not exceed 25 ft. in width with curb cut opposite of similar width; that there shall be erected on the street building line, a wrought iron picket fence or masonry wall not less than 4 ft. in height continuously, except for the entrance; that if the attendant's building is located toward the west, along the street building line, no fence need be erected between such building and the entrance provided that such space is not more than 10 ft.; that where walls of adjoining buildings do not occur on the interior property lines, there shall be erected a substantial woven wire fence not less than 6 ft. in height; that no building shall be erected, except a building not over one story in height and not over 10 ft. square in area for office and shelter for the attendant; that lights for illumination shall be so arranged as to reflect toward the center of the plot and away from adjoining occupancies; that no signs shall be erected, except one sign within the property line advertising the transient use, such sign not to exceed 10 sq. ft. in area; that such portable fire-fighting appliances shall be maintained on the premises as the commissioner shall direct; that all permits shall be obtained within three months from the date of this *amended* resolution."

274-38-BZ.

APPLICANT—David Zipkin, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street, (Block No. 2224, Lot Nos. 45-48 and 53), Borough of Manhattan.

APPEARANCES—

For Applicant: George B. Levy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(274-38-BZ)

WHEREAS, J. G. L. Molloy, for David Zipkin, owner, filed April 14, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the park-

ing and storage of more than five (5) motor vehicles; premises: 102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block No. 2224, Lot Nos. 45-48 and 53), Borough of Manhattan; and

WHEREAS, this application was granted by the Board February 7, 1939, on certain conditions, and applicant requested an extension of time to complete the work;

Resolved, that the resolution adopted by the Board on February 7, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution shall read:

"that in view of statement by counsel for the applicant that all work required by this resolution has been completed with; that all permits shall be obtained and all work completed to the satisfaction of the borough superintendent of buildings within two (2) months from the date of this amended resolution."

1041-38-BZ.

APPLICANT—Midtown Auto Storage Corporation, lessee;

Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—335-365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Greenblatt, Charles Bender and Herbert H. Pensig.

ACTION OF BOARD — Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1041-38-BZ)

WHEREAS, Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corp. (lessee), Board of Transportation, City of New York, owner, filed November 18, 1938, an application under section 7H of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 335-365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of 28), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board Sept. 26, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on September 26, 1939, only so far as it has reference to obtaining the permits and completing the work, so that as amended this portion of the resolution shall read:

"That all permits required shall be obtained and all work involved completed within three months from the date of this amended resolution."

1044-38-BZ.

APPLICANT—Midtown Auto Storage Corporation, lessee;

Board of Transportation, City of New York, A. J.

Nutting Corporation and Manpet Realty Co., Inc., owners.

SUBJECT—Application for consideration—reopening and

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amendment of resolution—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 252-304 Schermerhorn street and 51-59 Bond street, southeast corner, (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Greenblatt, Charles Bender and Herbert H. Pensig.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1044-38-BZ)

WHEREAS, Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corp. (lessee), Board of Transportation, City of New York, A. J. Nutting Corp., and Manpet Realty Co., Inc., owners, filed November 18, 1938, an application, under section 7H of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board Sept. 26, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work;

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on September 26, 1939, only so far as it has reference to obtaining the permits and completing the work, so that as amended this portion of the resolution shall read:

"That all permits required shall be obtained and all work involved completed within three months from the date of this amended resolution."

310-39-BZ.

APPLICANT — Herman Kron, for Ascension Memorial Church, owner, (Herald Parking and Renting, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—249-253 West 53rd street, north side, 200 ft. east of Eighth avenue, (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(310-39-BZ)

WHEREAS, Herman Kron, for Ascension Memorial Church, owner, (Herald Parking & Renting, Inc., lessee), filed March 13, 1939, an application under sections 7h and 21 of the

building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 249-253 West 43rd street, north side, 200 ft. east of 8th avenue, (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan; and

WHEREAS, this application was granted by the Board January 9, 1940, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the resolution adopted by the Board on January 9, 1940, be and it hereby is amended, as to the total number of automobiles parked, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7h thereof, for a term of two (2) years, to permit the plot under appeal to be occupied for the transient parking of automobiles, on condition, that only automobiles of the pleasure car type shall be so parked; that the plot shall be levelled substantially to the grade of West 43rd street, and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that on the interior lot lines, where wall of adjoining buildings do not occur, there shall be erected a brick wall not less than 8 in. in thickness, and not less than 10 ft. in height; that there shall be constructed along the interior lot lines, continuously at all points, a concrete curbing not less than 6 in. in height and not less than 2½ ft. in width, as a bumper to protect adjoining buildings; that a similar bumper shall be erected along the street building line, inside of an additional curbing, not less than 1 ft. in width and 1 ft. in height, on which shall be erected a substantial wrought iron or steel fence not less than 5 ft. in height; that such fence shall be continuous except for entrance centrally located, and not over 15 ft. in width, with curb cut opposite of similar width; that during the term of this permit, the premises shall be used for no use other than as herein permitted; that no building shall be erected thereon, except that there may be erected near the entrance, a building not over 100 sq. ft. in area and not over one (1) story in height, as office and shelter for the attendant; that this building shall be covered with fire-resisting materials on roof and sides; that proper aisles shall be maintained at all times for easy entrance and exit, to prevent cars being moved into the street when necessary to shift cars to permit entrance or exit; that the storage of cars and driveway shall be maintained in accordance with revised plans, marked 'Received January 19, 1940'; that if such plan is maintained, the curbing required inside of the required wrought iron fence may be omitted toward the westerly side where the office building is to be constructed, as shown on such revised plan marked 'Received January 19, 1940'; that the total number of automobiles parked at any time shall not exceed 44; that no signs shall be erected on the premises, except that there may be a sign attached to the fence at the entrance not over 15 sq. ft. in area, and not extending beyond the building line, advertising only the transient parking use; that no lights for general illumination shall be installed, except that a light may be installed on the exterior of the office, not exceeding 100 watt capacity; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

53-40-A.

APPLICANT—William Shary, for John J. Bradley, owner.

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SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—72-74 Horatio street, south side, 94 ft. 5 in. west of Greenwich street (Block No. 642, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to February 6, 1940, 2 P.M., pending inspection by committee of board.

1393-39-A.

APPLICANT—Joseph Kantor, for Sidney Harris as trustee of Lawyers Title and Guaranty Company, owner (Kantor Novelty, Inc., lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—107-109 West 38th street, north side, 90 ft. west of Sixth avenue (Block No. 814, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Mortimer Haas.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1393-39-A)

WHEREAS, Joseph Kantor (Kantor Novelty, Inc., lessee), for Sidney Harris as trustee of Lawyers Title and Guaranty Company, owner, filed November 10, 1939, an appeal from a decision—re an order of the fire commissioner, affecting premises 107-109 West 38th street, north side, 90 ft. west of Sixth avenue (11th floor), (Block No. 814, Lot No. 30), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 17795-LC, dated June 29, 1939, reads:

“YOU ARE HEREBY ORDERED AND REQUIRED TO:

1. Remove all nitro-cellulose products from the premises 107-9 West 38th Street, Borough of Manhattan.

REASON: Building is situated within fifty feet of the nearest wall or building occupied as a theatre. Sec. C-19-110.0-b-5.”

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated November 13, 1939; and

WHEREAS, the building is twelve stories in height, 40 ft. by 98.9 ft. in area at street level and 40 ft. by 88 ft. in area at typical floor level, of fireproof construction, erected in 1924, and located in a retail use B area district, and equipped with a sprinkler system, and occupied: 1st floor, millinery importing, 22 persons; 2nd floor, sales of buttons and buckles, 14 persons; 3rd floor, importing and selling of laces, 6 persons; 4th floor, vacant; 5th floor, manufacturing and selling dresses, 10 persons; 6th floor, vacant; 7th floor, trade union offices, 8 persons; 8th floor, manufacture and sales of dress ornaments, 20 persons; 9th floor, vacant; 10th floor, manufacture and sales of dresses, 10 persons; 11th floor, importing and selling of dress trimmings, 15 persons; 12th floor, importing, manufacture and sale of dress trimmings, 20 persons, for which Certificate of Occupancy No. 8013-24 was issued; and

WHEREAS, the applicant contends that the cellulose articles in question are not manufactured on the premises, but merely purchased for resale; that the theatre in question is located on the south side of West 39th street and is but two stories in height; that the cellulose occupancy is on the eleventh floor of the building in question, located on the north side of

West 38th street; that the theatre was vacant at the time the applicant commenced its business at the present location, and the present operation of the theatre is only spasmodic; that to comply with the order would be a hardship.

Resolved, that the order of the fire commissioner, No. 17795-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that in all other respects the requirements of the Administrative Code shall be complied with, and that the sprinkler system in the building shall be maintained to the satisfaction of the fire commissioner.

1551-39-A.

APPLICANT—Nachman Wool Stock Corporation (lessee), for Henry W. Eaton, et al., owners.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—161 Perry street, north side, 60 ft. east of West street (Block No. 637, Lot No. 77), Borough of Manhattan.

APPEARANCES—

For Applicant: Daniel L. Reit and Ferdinand Haas.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1551-39-A)

WHEREAS, Nachman Wool Stock Corporation, lessee, for Henry W. Eaton, et. al., owners, filed on December 28, 1939, an appeal from an order of the fire commissioner, affecting premises 161-165 Perry street, north side, 60 ft. east of West street (Block No. 637, Lot No. 77), (fifth and sixth floors), Borough of Manhattan; and

WHEREAS, the Order (No. 19989-LC) issued by the fire commissioner on December 5, 1939, reads:

“The object of this communication is to inform you that a reinspection of premises disclosed that the storage and sale of paints is maintained by another occupant in consequence of which permit may not be issued. Sec. C19-149.0-C-5, Art. 26, Adm. Code.

YOU ARE THEREFORE ADVISED TO

(1) Discontinue the storage of combustible fibre on these premises in a quantity exceeding one ton. Sec. C19-149.0-B, Art. 26, Adm. Code.”

and

WHEREAS, the building is six stories (72 ft.) in height, 66 ft. by 92 ft. in area, of Class 1 construction, equipped with a sprinkler system, and occupied: cellar, 1st and 2nd stories, packing and storage of fruit, 20 persons; 3rd and 4th stories, combined, storage of automobile accessories and paint, 14 persons; 5th and 6th floors, combined, storage of wool clippings, 5 persons; and

WHEREAS, the applicant contends that the order is brought about by the storage of paint and by the automobile accessory firm located on the third and fourth floors; that it is expected that the tenant of these floors will vacate one floor next month and the other floor within a few months; that if the order is enforced it would compel the applicant to go out of business, and in view of the fireproof construction of the building and the sprinkler installation, it is requested that the appeal be granted.

Resolved, that the order of the fire commissioner, No. 19989-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the amount of loose wool clippings shall at no time exceed a total of five (5) tons on the two floors; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that any partitions forming bins shall be constructed in accordance with the requirements of the Building Code, and shall not be closer to the ceiling than 5 ft.; that all shafts

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and other openings shall be protected as required by the borough superintendent of buildings; that the premises shall be maintained to the satisfaction of the fire commissioner, and that in all other respects all laws, rules and regulations shall be complied with other than as modified by the Board in pertinent calendar numbers.

4-40-A.

APPLICANT — Michael Marlo, for David Rubenstein, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8018 Fifth avenue, west side, 64 ft. 3¾ in. north of 81st street, (Block No. 5989, Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant—Michael Marlo.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(4-40-A)

WHEREAS, Michael Marlo, for David Rubenstein, owner, filed January 3, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 8018 Fifth avenue, west side, 64 ft. 3¾ in. north of 81st street, (Block No. 5989, Lot No. 49), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Applic. No. 6792-39, undated, reads:

"1. In reference to new store front and indirect means of egress from upper floors to street as to entrance through new store front vestibule—see Code Section 6.3.1 as to full compliance with requirements."

and

WHEREAS, the building is three (3) stories, (35 ft.) in height, 21 ft. 5¼ in. by 78 ft. 4½ in. at street level, and 21 ft. 5¼ in. by 56 ft. 10 in. at typical floor level, located in a business use B area district, erected in 1922, of Class 3 construction, and occupied: Cellar, storage and boiler room; 1st floor, store; 2nd floor, dwelling, 1 family; 3rd floor, dwelling, 1 family; and

WHEREAS, the applicant contends that the proposed store front alteration is similar to many store fronts existing in the immediate vicinity, and is due to the narrow width of the lot and that favorable action on this application for a variance is therefore requested.

Resolved, that the decision of the borough superintendent, on Applic. No. 6792-39, Objection No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the exit door from stairway shall be arranged substantially as shown on plans filed with the borough superintendent; that the enclosing wall between the show windows and the store shall be fire-retarded with access doors therein fireproof; that the distance from stair door to street shall not exceed 14 feet; that the greatest height of plate glass in the show windows shall not exceed 8 feet unless vertical or horizontal muntins are installed therein; that a second means of exit shall be provided at the rear of the building to the satisfaction of the borough superintendent, from the 2nd and 3rd stories occupied for residential occupancy; that the cellar ceiling for a distance back from the street front of at least 16 feet, and the ceilings of show windows and vestibule, shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals.

43-40-A.

APPLICANT—Louis Allen Abramson, for Society of the Hillside Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A inclusive), Bellerose, Borough of Queens (Hillside Hospital).

APPEARANCES—

For Applicant: Fred N. Severud.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(43-40-A)

WHEREAS, Louis Allen Abramson, for the Society of the Hillside Hospital, owner, filed on January 11, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue, known as Block Nos. 26-A to 27-A and 34-A to 42-A inclusive, Bellerose, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 10074-1939, dated December 21, 1939, reads:

"3. Hollow masonry as shown on plan contrary to Sect. 8.4.3.2.6."

"(1/4/40—Reconsideration denied, C.W.C.)"

and

WHEREAS, the premises consist of a plot approximately 2550 ft. by 900 ft., irregular in area (approximately 2,295,000 sq. ft.), occupied by the Hillside Hospital, and upon which it is proposed to erect the building in question, which will be one story (11 ft. 4 in.) in height, 55 ft. 2 in. by 102 ft. in area; and

WHEREAS, the applicant contends that "Section 8.4.3.2.1 does not apply to the bonding of brick, because brick, under the Code is not a solid structural unit. According to (1.132) a 'solid structural unit' must have a gross volume at least 50% greater than brick. The bonding requirements of the face brick to the backing is covered by Sec. (8.4.2.2). Although this section is written specifically to apply to solid masonry walls, it gives the requirements for holding the face brick. It is obviously not important whether every sixth course is held between brick or tile back-up. The requirements for bonding of the tile units are given in Section (8.4.3.2.1). For such units, it is required that they be bonded every third course to the unit with which it is combined to make the required thickness of wall. The construction as shown gives bonding at every second course of tile. The wall construction proposed has been standard for many years and has abundantly proven its structural value";

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 10074-39, Objection No. 3, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the construction of masonry, as shown, *on condition* that the building shall not exceed one story in height, total height not exceeding 12 feet to the top of the roof beams and that the tile shall comply with the requirements of A.S.T.M., d, C34-34T and that piers of solid masonry shall be constructed at the window jambs for support of window lintels, where required for support of masonry above windows and wherever windows exceed four feet in width; that in all other respects the construction shall comply with all the requirements of the Building Code therefor

50-40-A.

APPLICANT—J. C. Penney Co., Inc., (lessee), for J. C. Penney Building and Realty Corporation, owner.

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SUBJECT—Appeal from an order and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—330-346 West 34th street, south side, 300.1 ft. west of Eighth avenue, (Block No. 757, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Ellis Waring and Ray Orr.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(50-40-A)

WHEREAS, J. C. Penney Co., Inc., (lessee), for J. C. Penney Building and Realty Corporation, owner, filed on January 12, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 330-346 West 34th street, south side, 300.1 ft. west of 8th avenue, (Block No. 757, Lot No. 54), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, undated, reads:

"This refers to your letter dated December 13, in which you request this department's approval of various wood and glass dividing partitions erected on various floors of the subject premises. You state that the building is sprinklered throughout and that the layout of the sprinkler system has been changed to suit the conditions resulting from the erection of partitions in question.

"This department recognizes the value of a complete automatic sprinkler system throughout your building. Under the law, however, certain recognition only is accorded sprinkler systems and in so far as it affects wood partitions we can allow no credit for a sprinkler system.

"Your request for approval of wood and glass partitions on the subject fireproof constructed building is denied as being contrary to the provisions of the Old Building Code and the present Building Code section of the Administrative Code."

and

WHEREAS, Violation No. 5857 was issued December 13, 1939 for violation of Administrative Code for having erected and maintained wood stud partitions, without obtaining a permit therefor; and

WHEREAS, the building is 18 stories (220 ft.) in height, 235 ft. by 197 ft. in area, of class 1 construction, equipped with a standpipe and sprinkler system, located in a retail use district, erected in 1925, and occupied: sub-cellar, boiler room, 1 person; Cellar, store, no persons; 1st story, stores, shipping and receiving 37 persons; 2nd to 7th stories, packing, warehouse and offices, no more than 142 persons per story; 8th story, Railway Mail Club, warehouse and offices, 28 persons; 9th to 17th stories, warehouse and offices, not more than 194 persons per story; 18th story, Cafeteria and offices, 13 persons; and

WHEREAS, it is proposed to remove and re-locate existing partitions and construct new partitions on the 8th, 14th, 15th, 16th and 17th floors of the building in question; and

WHEREAS, the applicant contends that the alterations made to existing partitions approximate 80%; that some of these partitions have been in use for many years and have only been shifted in their location; that any changes made in partitions have been followed up by the necessary re-arrangement of sprinklers; that all wood partitions are now being removed from the 15th and 16th floors; all existing partitions, all proposed partitions and all proposed re-location of partitions are shown on plans filed with this appeal; that in view of the fact that the building is fireproof and fully sprinklered, permission is requested to continue the use of

the existing partitions and all proposed partitions as shown on plans filed with this appeal;

Resolved, that the decision of the borough superintendent, dated December 21, 1939, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition*, that no additional wood partitions shall be installed throughout the building; that such additional partitions as may be installed from time to time to form partitions, shall be in accordance with the requirements therefor, and approved by the borough superintendent; that this variation is granted on the understanding that all combustible partitions now in the building above 150 ft. in height shall be immediately removed, and replaced with partitions of incombustible material; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that no manufacturing shall be carried on throughout the building; and that in all other respects, all laws, rules and regulations applicable to building and occupancy shall be complied with.

69-40-A.

APPLICANT—Perry Coke Smith, for East River Houses Associated Architects for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by East 102nd street to East 105th street, between First avenue and East River drive, (Block Nos. 1696, 1697 and 1698), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud and C. W. Schlusing.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(69-40-A)

WHEREAS, Perry Coke Smith, for East River Houses Associated Architects for New York City Housing Authority, owner, filed on January 19, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises bounded by 102nd street, First avenue, East River drive and 105th street (Block Nos. 1696, 1697 and 1698), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N.B. Applications 1 to 10 inclusive of 1940, dated January 15, 1940, reads:

"1. Roof insulation is required by Section C26-619.0 to be covered by 1½" Portland cement concrete. Roof construction consisting of 4-inch concrete covered with 1-inch celotex and with 4-ply tar and gravel roofing over same is not acceptable.

"2. Hollow clay tile backing of panel walls in skeleton frame structures is required to be structural clay tile complying with the requirements of Section 26-308.0 and C26-309.0 of the Administrative Code. 6-inch non-loadbearing hollow tile of lesser strength may not be accepted."

and

WHEREAS, it is proposed to erect upon the premises in question, located in a residence and unrestricted use, A area district, twenty-nine (29) Class A Multiple Dwellings, 9, 10 and 11 stories in height; and

WHEREAS, the applicant contends as to *Objection No. 2* that the exterior walls will be panel walls, supported at each floor with a maximum height not to exceed 7 ft. 3 in.; the back-up tile will be 6 in. protected with 4 in. brick facing; that all outside walls will be furred with free standing metal

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furring; that spandrel beams will be protected with spandrel flashing except at first tier;

As to *Objection No. 1*, applicant contends that approved fibre or cork board will be laid on a reinforced concrete roof slab with a minimum thickness of $4\frac{1}{2}$ " in a bed of hot pitch, using not less than 40 lbs. of pitch per 100 sq. ft. of roof area and laid with close, but not tight, joints. Approved felt stops will be provided and installed in such a manner as to isolate areas of boards of approximately 400 sq. ft. each, against penetration of moisture from adjacent areas. Over the approved fibre or cork board a uniform coat of approved hot coal-tar pitch using not less than 40 lbs. per 100 sq. ft. will be poured. Over this coating will be laid 4 layers of approved felt. Each sheet of felt will be mopped with hot tar pitch so that in no case does felt touch felt, using not less than 25 lbs. per 100 sq. ft. of roof surface in each mopping. Over the entire surface will be poured a coating of hot coal-tar pitch weighing not less than 50 lbs. per 100 sq. ft. into which will be embedded 150 lbs. of slag. The slag to be tamped and loose particles swept off, then over the entire surface will be poured a coating of hot coal-tar pitch weighing not less than 70 lbs. per 100 sq. ft. of area, into which, while hot, will be imbedded either gravel or slag graded $\frac{1}{2}$ to $\frac{5}{8}$ inch in size and free from dirt. Slag finish to weigh not less than 300 lbs. per square and gravel finish 400 lbs. per square, OR an alternate form of construction consisting of a top pouring over the top ply of felt of 105 pounds of hot asphalt or pitch, which may be poured at once, and shall be embedded therein slag composed of a mixture of medium ($\frac{5}{8}$ " to coarse (1") of an amount of not less than 450 pounds per square;

Resolved, that the decision of the borough superintendent acting on N.B. Applications 1 to 10, inclusive, of 1940, be and it hereby is *modified*, and the appeal as to *Objection No. 1* be and it hereby is *granted on condition* that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt point asphalt or pitch, which may be poured at one time, in which there shall be embedded slag composed of a mixture of medium $\frac{5}{8}$ " to coarse 1" of an amount of not less than 450 lbs. per square; as to *Objection No. 2*, *granted on condition* that the proposed 6-inch tile shall be 2-cell, complying with the requirements of the A.S.T.M. 56-36.

96-40-A.

APPLICANT—Alexander D. Crosett, for Brooklyn Edison Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—218-226 First street and 275-283 Third street, 101.67 ft. west of Fourth avenue (Block No. 968, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alexander D. Crosett.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(96-40-A)

WHEREAS, Alexander D. Crosett, for Brooklyn Edison Company, Inc., owner, filed on January 26, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises: 218-226 First street and 275-283 Third street, 101.67 ft. west of Fourth avenue, (Block No. 968, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. Applic. No. 105-40, dated January 26, 1940, reads:

"1. Proposed garage of class three construction ex-

ceeds the allowable limits for area specified under sec. 4.2.1. Building Code, so that application is hereby denied."

and

WHEREAS, the building is to be one story in height, of class 3 construction, facing on two opposite streets, subdivided with a regulation fire wall with a horizontal exit, equipped with a two source sprinkler system. In addition of the two streets, the west side of this building faces a vacant lot, which is part of the same owner's property. The owners agree to maintain a driveway parallel to the building between the two streets, ranging in width from 20 to 60 feet, as shown on plot plan. The building will have a frontage of 450 ft. and a depth of 97 ft., with an extension at center rear 25 ft. in depth. The floor area in each of the two sections average about 21,800 square feet, including the walls, toilet rooms, etc.; and

WHEREAS, the applicant contends that the cars garaged will be only cars of the Brooklyn Edison Company and under constant supervision; that there will be a watchman or maintenance man on the premises at all times; that the entire block is in the ownership of the Brooklyn Edison Company and under watchman's supervision at all times;

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 105-40, *Objection No. 1*, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*, that the building shall not be increased in height or area beyond that shown on plans filed herein; that the fire wall proposed shall be constructed; that the opening in the fire wall shall not exceed the requirements of the Building Code therefor; that there shall at all times be maintained a through-way parallel to the proposed building from First street to Third street, such through-way to be of a net width of not less than 20 feet; that windows constructed on the easterly lot line wall shall be fireproof, self-closing and glazed with wire-glass; that the sprinkler system shall be an approved two-source system, covering all parts of the building; that in addition sprinkler heads shall be maintained along the bottom or side of the bottom chords of the wood trusses; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the building shall be supervised by a competent watchman at all times of the day and night; that this variation shall continue only so long as the building is occupied as proposed by the Brooklyn Edison Company, Inc., or its successors in the same line of business; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

348-34-A.

APPLICANT—Samuel Rosenblum, for The Mantrose Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—136 41st street, south side, 240 ft. east of First avenue, (Block No. 716, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. B. Santangelo.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(348-34-A)

WHEREAS, the Mantrose Corporation, owner, filed December 11, 1934, an appeal from an order of the fire commissioner, affecting premises 136 41st street, south side, 240 ft. east of First avenue (Block No. 716, Lot No. 20), Borough of Brooklyn; and

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WHEREAS, this appeal was granted by the board June 18, 1935, on certain conditions, the resolution amended November 19, 1935, December 1, 1936, January 11, 1938, and January 17, 1939, and applicant requested an extension of permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 18, 1935, as amended November 19, 1935, December 1, 1936, January 11, 1938 and January 17, 1939, only so far as it refers to the continuation of the permit, so that as amended, the resolution shall read:

"*Resolved*, that the order of the fire commissioner, dated November 20, 1934, No. 65459-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the use and storage of liquified chlorine in one-ton cylinders, *on condition* that not more than eighteen (18) such cylinders shall be stored on the premises; that the requirements approved by the fire commissioner under Alteration No. 624-25 shall be complied with; that the additional requirements as embodied in the report of the committee of the board, dated June 17, 1935, shall also be complied with except as to Item No. 1 of said report which is amended to read:

'1. That the cylinder being drawn from shall be supported with rigid steel or reinforced concrete saddles and strapped into place to prevent movement until emptied'; and except as to Item No. 4 of said report which is amended to read:

4. That in addition to the present pump and piping from buried caustic soda tank, a separate 600-gallon tank shall be installed within the chlorine storage room, as indicated on plans marked 'Received November 19, 1935,' and directly over the pit in which the cylinder being drawn from is located; that there shall be a 3-inch discharge line into pit controlled by an easy-opening valve located directly outside the exterior door and properly marked; that the main flood line from the buried tank shall be branched with 2-inch lines so that soda can be readily distributed at intervals of not over 10 ft. into the storage tank; that the pump shall be housed in fireproof enclosure, in which the electric switch controlling same shall be located and the switch removed from present location in stairhall and that this modification shall continue for one year from the date of this amended resolution."

1185-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — Entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings No. 1 to 18, inclusive); Block No. 260, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud and C. W. Schlusing.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1185-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting the entire block bounded by Gouverneur, Madison, Jackson and Water streets (Block No. 260, Lot No. 1, Bldg. Nos. 1 to 18, inclusive, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. Application 128-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½ inch fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½-inch Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this Department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ inch thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the 18 buildings affected will be six stories in height each; of Class I construction; located in a retail and residence use "E" area district and occupied throughout as Class A multiple dwellings; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65 lb. felt with tar and 300 lbs. slag or 400 lbs. of gravel finish. The roof slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ inch cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ inches of concrete, as required by the Administrative Building Code, will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class I construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure.

and

WHEREAS, this appeal was granted by the Board October 3, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 3, 1939, so that as amended it shall read:

"*Resolved*, that the decision of the acting borough superintendent of buildings on N.B. Applic. No. 128-39, be and it

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hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt point asphalt or pitch, which may be poured at one time, into which there shall be embedded slag composed of a mixture of medium $\frac{5}{8}$ " to coarse 1" of an amount of not less than 450 lbs. per square.

1186-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—345M to 367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Building Nos. 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud and C. W. Schlusing.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1186-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 29, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 345M to 367M Madison street, north side, 95.79 ft. east of Scammel street, through to Henry street (Block No. 267, Lot No. 24, Bldgs. 19 and 20, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N. B. Applic. 129-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½ in. fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½ in. Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ in. thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the buildings will be 6 stories (52.79 ft.) in height, 178.42 ft. by 58.21 ft. in area each, of Class 1 construction, located in a retail and residence use, "D" area district; occupied throughout as Class A multiple dwellings; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such

insulation to be covered with 4-ply 65 lb. felt with tar and 300 lbs. of slag or 400 lbs. of gravel finish. The roof slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ in. cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ in. of concrete, as required by the Administrative Building Code will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class 1 construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure; and

WHEREAS, this appeal was granted by the Board October 3, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 3, 1939, so that as amended, it shall read:

"Resolved, that the decision of the acting borough superintendent of buildings, on N.B. Applic. No. 129-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt point asphalt or pitch, which may be poured at one time, into which there shall be embedded slag composed of a mixture of medium $\frac{5}{8}$ " to coarse 1" of an amount of not less than 450 lbs. per square."

1187-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings No. 22 and 24); (Block No. 265, Lot, Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud and C. W. Schlusing.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1187-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 14J to 22J Jackson street, northeast corner Monroe street and south side of Madison street

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(Block No. 265, Lot Nos. 1 and 2, Bldgs. No. 22 and 24 Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. Application Nos. 130-39 and 130A-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½-inch fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½-inch Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this Department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ in. thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the buildings will be six stories (51.70 ft.) in height, 178.42 ft. by 58.21 ft. in area; of Class I construction; located in a retail and residence use, "D" area district; to be occupied throughout as a Class A multiple dwelling; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65-lb. felt with tar and 300 lbs. of slag or 400 lbs. of gravel finish. The roof slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq.ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ inch cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ inches of concrete, as required by the Adm. Building Code will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class I construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure; and

WHEREAS, this appeal was granted by the Board October 3, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 3, 1939, so that as amended, it shall read:

"Resolved, that the decision of the acting borough superintendent of buildings, on N.B. Applic. No. 130-39 and 130A-39, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt point asphalt or pitch, which may be poured at one time, into which there shall be embedded slag composed of a mixture of medium ⅝" to coarse 1" of an amount of not less than 450 lbs. per square."

1188-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 28J to 44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings No. 21 and 23); (Block No. 263, Lot Nos. 40-45), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud and C. W. Schlusing.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

THE RESOLUTION—

(1188-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 28J to 44J Jackson street, northeast corner Cherry street and south side of Monroe street (Block No. 263, Lot Nos. 40 to 45, Bldg. Nos. 21 and 23, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. 131-39 and 131-A-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½ in. fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½ in. Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ in. thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1. of the Building Code is hereby denied."

and

WHEREAS, the buildings will be 6 stories (55.91 ft.) and 55.61 ft. in height, 178.42 ft. by 58.21 ft. in area each; located in a residence use "D" area district; to be occupied throughout as Class A multiple dwellings; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65 lb. felt with tar and 300 lbs. of slag or 400 lbs. of gravel finish. The roof slabs will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will

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be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ inch cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ inches of concrete, as required by the Adm. Building Code will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class 1 construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure; and

WHEREAS, this appeal was granted by the Board October 3, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 3, 1939, so that as amended it shall read:

"Resolved, that the decision of the acting borough superintendent of buildings, on N.B. Applic. Nos. 131-39 and 131A-39, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt point asphalt or pitch, which may be poured at one time, in which there shall be embedded slag composed of a mixture of medium 5/8" to coarse 1" of an amount of not less than 450 lbs. per square."

1247-39-A.

APPLICANT—South Jamaica Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — Blocks bounded by 159th street, 107th, 108th and 109th avenues, (Block Nos. 10126, 10137, 10138 and 10147), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John P. Riley and Fred N. Severud.
For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1247-39-A)

WHEREAS, South Jamaica Project Associated Architects, for the New York City Housing Authority, owner, filed on October 10, 1939, an appeal from the decision of the borough superintendent of buildings, affecting premises: 106-24 to 106-56 159th street, 107-04 to 107-60 159th street, 108-02 to 108-60 159th street and 107-03 to 107-59 159th street (Block No. 10126, Lot Nos. 18, 19, 21, 22, 24, 25, 26, 27, 127, 28, 29, 30, 31, 32, 33, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50 and 51; Block No. 10137, Lot Nos. 1, 9, 10, 11, 13, 17, 24, 31, 34, 36 and 37; Block No. 10138, Lot Nos. 1, 2, 3, 4, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 54, 58, 59, 60, 61 and 62 and Block No. 10147, Lot Nos. 1, 3, 5, 6, 7, 11, 12, 13, 14, 16, 23, 49, 50, 51, 52, 53, 54, 55 and 56), South Jamaica, Borough of Queens and

WHEREAS, the decision of the borough superintendent on

N.B. Applic. Nos. 6803-4-5 and 6806-39, dated September 25, 1939, reads:

"Roof insulation must be covered by 1½ in. of cement concrete as required by Sec. 10.3.1 of the Building Code."

and

WHEREAS, the premises consist of a large plot on which it is proposed to locate eleven 3 and 4-story Class 1 constructed buildings, to be occupied as Class A multiple dwellings, as shown on plans filed with this appeal; and

WHEREAS, it is proposed to use a roof constructed of 4½ inch flat, reinforced stone concrete slab, over which is directly applied not less than one inch or more than 2 inches of insulating material surfaced with 4-ply felt and gravel or slag roofing material. The pitch and felt roof will be laid according to the manufacturer's specifications for 4-ply work with the last application of pitch increased to 75 lbs. per 100 sq. ft. and the last application of slag increased to 450 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that similar construction is being used on the Red Hook, Queensbridge and Metropolitan Housing developments; that the addition of 1½ inches of concrete weighing 18 lbs. per sq. ft. would require additional structural reinforcing throughout; and

WHEREAS, this appeal was granted by the Board November 14, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted November 14, 1939, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent on N.B. Applic. Nos. 6803-4-5 and 6-39 be and it hereby is modified and that the appeal be and it hereby is granted on condition that the roofing material shall be of an approved type; that over the top ply of felt there shall be a top pouring of 105 lbs. high melt point asphalt or pitch, into which there shall be embedded slag composed of a mixture of medium 5/8" to coarse 1 inch of an amount not less than 450 lbs. per square."

1327-39-A.

APPLICANT—Worden H. Fenton, for the Department of Public Works, City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3069-3121 Avenue Z, northwest corner of Knapp street, (Block No. 7452, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. J. McCormack.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1327-39-A)

WHEREAS, Worden H. Fenton, for the Department of Public Works, City of New York, owner, filed on October 26, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 3069-3121 Avenue Z, northwest corner Knapp street (Block No. 7452, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 2486-39, dated October 16, 1939, reads:

"6. Comply with 10.3.1 of Code as to roof covering on cork insulation."

and

WHEREAS, the proposed building will be one story and basement, (48 ft.) in height, 212 ft. 8 in. by 202 ft. in area;

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of Class 1 construction; located in an unrestricted use district and occupied throughout as a pump and power house in connection with the existing sewerage treatment plant on the same plot; and

WHEREAS, it is proposed to omit the 1½ inches of Portland cement concrete, as required by Section 10.3.1 of the Code, between the 2-inch cork insulation and the roof surfacing material, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the requirement of the Code is excessive; that due to the isolated position of the building, there is slight chance of a fire starting on the roof; and

WHEREAS, this appeal was granted by the Board November 14, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of November 14, 1939, so that as amended, it shall read:

"*Resolved*, that the decision of the borough superintendent on N.B. Applic. 2486-39 as to Objection No. 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the roofing materials shall be of an approved type; that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt point asphalt or pitch, which may be poured at one time, in which there shall be embedded slag composed of a mixture of medium ¾ inch to coarse 1-inch of an amount of not less than 450 lbs. per square; that if gravel is used, such gravel shall be of the same dimension as required above or slag and shall be of the weight of 600 lbs. per 100 sq. ft."

1381-39-A.

APPLICANT — William O. Staber, for Agnes Wulff, owner.

SUBJECT—Application for consideration—reopening and reconsideration under new facts—re Appeal from a decision of the borough superintendent of buildings (previously denied).

PREMISES AFFECTED—1620 Centre street, south side, 175 ft. east of Wyckoff avenue, (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber and Agnes Wulff.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1381-39-A)

WHEREAS, William O. Staber, for Agnes Wulff, owner, filed November 10, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 1620 Centre street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 6582-39, dated October 31, 1939, reads:

"1. Proposed use of frame sheds for commercial garage is contrary to Section 4.2.1 Building Code."

and

WHEREAS, the building is one story (12 ft.) in height, 19 ft. 6 in. by 100 ft., irregular in area, of Class 5 construction, on a plot 50 ft. by 100 in area, located in an unrestricted use "C" area district, erected prior to 1916 and occupied for the storage of motor vehicles; and

WHEREAS, the applicant contends that the structures in question were erected prior to 1916 and used for the stabling of horses and the storage of wagons; that commencing in 1935, the sheds were rented for the storage of motor vehicles; that upon receipt of violation No. 57-39, application No. 6582-39 was filed, to legalize the existing occupancy; that on May 15, 1939, upon advice from an inspector of the fire department, 26 gauge galvanized metal was applied over the existing ceiling and all exposed frame walls within the shed; that the concrete floor was laid; that the total floor area of the sheds in question is approximately 600 sq. ft.; and

WHEREAS, this appeal was denied by the board November 21, 1939, and reopened by vote of the board January 30, 1940; and

WHEREAS, the premises were inspected by a committee of the Board; and

WHEREAS, it was found that the shed had been protected by galvanized iron metal as to the side and roof; and

WHEREAS, the applicant requested a temporary permit for two (2) years, to continue the use for parking not over 15 cars.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 6582-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that not more than 15 cars shall be parked or stored at any time within the premises, and that the metal protection on the ceiling and walls of the shed shall be maintained to the satisfaction of the fire commissioner, and that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

1402-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—70G to 72G Gouverneur street, entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Building Nos. 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud, C. W. Schlusing and H. L. C. Gall.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1402-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard, and Sylvan Bien, for New York City Housing Authority, owner, filed on November 14, 1939, an appeal from a decision of the Acting Borough Superintendent of Buildings, affecting 18 buildings on the block bounded by Gouverneur, Jackson, Madison and Water streets (Block No. 260, Lot No. 1); (Building Nos. 1 to 18, inclusive, U. S. Housing Project and N.Y. 5-3, also known as 70G-72G Gouverneur street), Borough of Manhattan; and

WHEREAS, the decision of the Acting Borough Superintendent on N.B. Applic. No. 128-39, dated November 1, 1939, reads:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Struc-

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tural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories residence and retail use districts and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside wall will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal; and

WHEREAS, this appeal was granted by the Board November 21, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of November 21, 1939, so that as amended it shall read:

"Resolved, that the decision of the acting borough superintendent, on N.B. Applic. No. 128-39, be and it hereby is modified, and that the appeal be and it hereby is granted, as to Objection No. 36, so as to permit the use of approved step type, 2-cell terra cotta block 6 in. x 12 in. x 12 in., and complying with the requirements of A.S.T.M. 56-36; that in all respects the walls shall be constructed as required in the Building Code under Section 8.4.9.4 and that the mortar shall be approved Portland cement mortar; and on condition that the height of the panel section between spandrel beams shall not exceed the height proposed."

1403-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—345M to 367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Building Nos. 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud, C. W. Schlusing and H. L. C. Gall.

For Administration: Fred Dahlem, Department of Housing and Buildings.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

amended.

THE VOTE to reopen and amend resolution:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1403-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on November 14, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises: 345M to 367M Madison street, north side, 95.79 ft. east of Scammel street, running through to Henry street (Block No. 267, Lot No. 24); (Bldgs. 19 and 20, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. Applic. No. 129-39, dated November 1, 1939, reads:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Structural

Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (52.79 ft.) in height, 178.42 ft. by 58.21 ft. in area, each of Class 1 construction; located in residence and retail use districts and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal; and

WHEREAS, this appeal was granted by the Board November 21, 1939, on certain conditions and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of November 21, 1939, so that as amended it shall read:

"Resolved, that the decision of the acting borough superintendent, on N.B. Applic. No. 129-39, be and it hereby is modified, and that the appeal be and it hereby is granted, as to Objection No. 36, so as to permit the use of approved step type 2-cell terra cotta block 6 in. x 12 in. x 12 in., and complying with the requirements of A.S.T.M. 56-36; that in all other respects the walls shall be constructed as required in the Building Code under Section 8.4.9.4. and that the mortar shall be approved Portland cement mortar; and on condition that the height of the panel section between spandrel beams shall not exceed the height proposed."

1404-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Building Nos. 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud, C. W. Schlusing and H. L. C. Gall.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1404-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for N. Y. City Housing Authority, owner, filed on November 14, 1939, an appeal from decisions of the acting borough superintendent of buildings, affecting premises: 14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Block No. 265, Lot Nos. 1 and 2); (Bldg. Nos. 22 and 24, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decisions of the acting borough superintendent, on N. B. Application Nos. 130 and 130-A-39, dated, November 1, 1939, read:

"36. Enclosure walls of building should comply with

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Section 7.1.1.3 of the Building Code for Structural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (51.7 ft.) in height, 178.42 ft. by 58.21 feet in area each; of Class 1 construction; located in residence and retail use districts and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing except at first tier, as shown on detail of wall section filed with this appeal; and

WHEREAS, this appeal was granted by the Board November 21, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 21, 1939, so that as amended it shall read:

"*Resolved*, that the decisions of the acting borough superintendent, on N. B. Applic. Nos. 130 and 130-A-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 36, so as to permit the use of approved step type, 2-cell terra cotta block 6 in. x 12 in. x 12 in., and complying with the requirements of A.S.T.M. 56-36; that in all other respects the walls shall be constructed as required in the Building Code under Section 8.4.9.4 and that the mortar shall be approved portland cement mortar; and *on condition* that the height of the panel section between spandrel beams shall not exceed the height proposed."

1405-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U. S. Housing Project N.Y. 5-3).

SUBJECT—Application for consideration—reopening and amendment—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 28J to 44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings No. 21 and 23); (Block No. 263, Lot Nos. 40 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley, Fred N. Severud, C. W. Schulsing and H. L. C. Gall.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1405-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for N. Y. City Housing Authority, owner, filed on November 14, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises: 28J to 42J Jackson street, northeast corner Cherry street and south side of Monroe street (Block No. 263, Lot Nos. 40 to 45); (Bldg. Nos. 21 and 23, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decisions of the acting borough superin-

tendent on N.B. Applic. Nos. 131 and 131A-39, dated November 1, 1939, read:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Structural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (55.91 ft. and 55.61 ft.) in height, 178.42 ft. by 58.21 ft. in area each, of Class 1 construction; located in a residence use district; and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal; and

WHEREAS, this appeal was granted by the Board November 21, 1939, on certain conditions, and applicant requested an amendment of the resolution;

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 21, 1939, so that as amended it shall read:

"*Resolved*, that the decisions of the acting borough superintendent, on N.B. Applic. Nos. 131 and 131A-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 36, so as to permit the use of approved step type, 2-cell terra cotta block 6 in. x 12 in. x 12 in., and complying with the requirements of A.S.T.M. 56-36; that in all other respects the walls shall be constructed as required in the Building Code under Section 8.4.9.4 and that the mortar shall be approved portland cement mortar; and *on condition* that the height of the panel section between spandrel beams shall not exceed the height proposed."

VARIATIONS OF LABOR LAW

502-27-S.

APPLICANT—Samuel Rosenblum, for Metropolitan Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—16-24 West 47th street, south side, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Santangelo.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(502-27-S)

WHEREAS, the application for a variation from the requirements of the labor law, as cited in orders of the fire commissioner, affecting premises 16-24 West 47th street, south side, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan, was granted by the board, May 8, 1928, on certain conditions, resolution amended September 14, 1937, November 1, 1938, and June 27, 1939, and the owner, through his representative, Samuel Rosenblum, requested a further amendment;

Resolved, that the resolution adopted by the Board on May 8, 1928, as amended by resolution adopted by the Board on June 27, 1939, be and it hereby is further *amended*,

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only so far as it has reference to the glass in the doors and to the transoms, so that as amended this portion of the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law, and that the petition be and it hereby is granted on condition that the stair halls, corridors and required means of exit shall be enclosed in materials of fireproof construction, with self-closing, fireproof doors at all openings thereto; that the building throughout may be used for manufacturing purposes, on condition that the recommendations in the report of the committee, dated June 23, 1939, are complied with and that the manufacturing in the building is limited to factory work in connection with the jewelry trade and similar light manufacturing operations, which may include a merchant tailor."

Resolved further, that as to Items 7 and 8, the transoms and sash in and over the doors and in partitions along interior corridors may be glazed with double thick plain glass, and may either be fixed and non-openable or automatically self-closing, provided no pane of glass exceeds 760 sq. in.

1449-39-S.

APPLICANT — Nathan R. Carb, owner (Metal Chair Manufacturing Co., lessee).

SUBJECT—Variation of the Labor Law, as cited in an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—25 Carroll street, north side, 200 ft. east of Van Brunt street, (Block No. 347, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan R. Carb.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1449-39-S)

WHEREAS, Nathan R. Carb, owner, (Metal Chair Manufacturing Company, lessee), filed on November 28, 1939, an application for a variation of the requirements of the Labor Law, as cited in an order and a decision of the borough superintendent of buildings, affecting premises 25 Carroll street, north side, 200 ft. east of Van Brunt street, (Block No. 347, Lot No. 53), Borough of Brooklyn; and

WHEREAS, the order of the borough superintendent, Viol. No. 1149-39, dated February 17, 1939, reads:

"You will please take notice that there exists a violation of Section 272, paragraph 3 of the Labor Law, at the premises hereinafter described in that front exterior windows in first story are obstructed by metal bars and wire mesh.

Remedy:

"You are hereby directed to remove said bars or wire mesh. Otherwise construct same so as to be readily movable or removable from both sides and that they shall be left unlocked during working hours."

and

WHEREAS, said order was referred to in a decision of the borough superintendent, dated November 1, 1939; and

WHEREAS, the building is 5 stories in height, 50 ft. by 100 ft. in area at 1st floor, and 50 ft. by 85 ft. in area at typical floor, erected about 1910, located in an unrestricted use district, equipped with a sprinkler system and an interior alarm system; there is one interior fireproof enclosed stairs and two exterior fire escapes, with fireproof windows on the course thereof. The building is occupied as follows: Cellar, vacant; 1st floor, office, 1 person; 2nd floor, storage, 2 per-

sons; 3rd floor, factory, 8 persons; 4th floor, factory, 5 persons; 5th floor, storage, no persons; and

WHEREAS, there are 3 windows affected by the order, located on the 1st floor front; this floor is provided with 3 doors, 36 in., 48 in. and 72 in. wide respectively leading to street; and

WHEREAS, the applicant contends that the bars are necessary to prevent burglary and vandalism; that the occupancy on the 1st floor is low; that there are ample exits on the 1st floor; that the windows in question are accessible from the street and if these bars are not maintained it will be difficult to rent the building as no burglary insurance can be obtained without this protection;

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in an order of the borough superintendent, Viol. No. 1149-39 and that the application be and it hereby is granted, so as to permit the continuance of the existing grilles over the windows on the front wall of the building facing Carroll street, 1st story, on condition, that the three means of exit from the 1st story within the 50 feet frontage shall be maintained and kept openable at all times during working hours; that such exits shall not be reduced in width; that the sprinkler system and interior alarm system shall be maintained to the satisfaction of the fire commissioner; that in all other respects the construction and occupancy shall comply with the requirements of all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. Nos. 1596-17-S and 631-28-S.

MATERIALS SUBMITTED FOR APPROVAL

988-39-SM.

APPLICANT—Medusa Portland Cement Company, owner.
SUBJECT—Medusa Stoneset Cement and Medusa Brikset Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(988-39-SM)

WHEREAS, Medusa Portland Cement Company, owner, filed July 24, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Medusa Stoneset Cement and Medusa Brikset Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Re: Cal. No. 988-39-SM

Subject: Medusa Stoneset Cement & Medusa Brikset Cement—Approval of.

The Medusa Portland Cement Co. filed July 24, 1939, an application with the Board of Standards and Appeals for approval of the material known as Medusa Stoneset Cement and Medusa Brikset Cement under the pertinent sections of the Administrative Building Code for this type of material.

Medusa Stoneset is a masonry cement meeting the requirement of Federal Specification SS-C-181b, both types I and II; that is, for inside and for outside exposure and is also non-staining to limestone and as such passes the non-staining clause of the above specification. It is white in color.

It has a base of Medusa White Portland Cement and has incorporated with it limestone and lime as plasticizing and

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shrinkage prevention agents and also contains Medusa Waterproofing.

Medusa Brikset is a gray masonry cement passing the requirement of Federal Specification SS-C-181b, both type I and II; that is for inside and for outside exposure.

It has a base of Medusa Gray Portland Cement and has incorporated with it limestone and lime as plasticizing and shrinkage prevention agents, and also contains Medusa Waterproofing.

A flow sheet showing the process of manufacture and an estimate of the supply of raw materials on hand indicate that the homogeneity of the product can be maintained for at least 20 years.

This material was tested by a representative of the Committee on Tests at the plant of the manufacturer at Wampum, Ohio, on January 13, 1940, and supplemented with a chemical analysis furnished by the applicant with results as follows:

STONESET—PHYSICAL TESTS

	Requirements			
	Test Specimens	ASTM Spec.	Federal Spec.	
	ASTM	Federal	C91-38T	SS-C-181b
Fineness, %	95.9	—	—	88
Initial Set	3:40	Not less than	60 min.	Not less than 60 min.
Final Set	5:35	Not more than	48 hrs	Not more than 48 hrs. Type II
Soundness	O.K.	Sound	Sound	Sound
Water Ret.	68	68	Greater than 65%	Greater than 65%
Water Rep.	.48	—	—	Less than 0.9
Strength (Av. Six Spec. Comp.				
7 days PSI	1582	1233	Not less than 350	Type II—Not less than 500
Comp.				
28 days PSI	2407	1617	Not less than 600	Type II—Not less than 1000
Tensile				
7 days PSI*	241			
Tensile				
28 days PSI*	292			

CHEMICAL ANALYSIS

Silica (SiO ₂)	15.7
Iron and Alumina (R ₂ O ₃)	4.5
Lime (CaO)	57.8
Magnesia (MgO)	2.1
Sulfur Trioxide (SO ₃)	0.7
Loss on Ignition	18.3

*Meets ASTM C77-39, Federal SS-C-158 and Code.

BRIKSET—PHYSICAL TESTS

	Requirements			
	Test-Specimens	ASTM Spec.	Federal Spec.	
	ASTM	Federal	C-91-38-T	SS-C-181b
Fineness, %	97.5	—	—	88
Initial Set	4:23	Not less than	60 min.	Not less than 60 min.
Final Set	5:55	Not more than	48 hrs.	Not more than 24 hrs. Type II
Soundness	O.K.	Sound	Sound	Sound
Water Ret.	70	70	Greater than 65%	Greater than 65%
Water Rep.	.42	—	—	Less than 0.9
Strength (Av. Six Spec. Comp.				
7 days PSI	2458	1931	Not less than 350	Type II—Not less than 500
Comp.				
28 days PSI	3424	2585	Not less than	Type II—Not less than 1000
Tensile				
7 days PSI*	332			
Tensile				
28 days PSI*	365			

CHEMICAL ANALYSIS

Silica (SiO ₂)	15.4
Iron and Alumina (R ₂ O ₃)	7.1
Lime (CaO)	58.2
Magnesia (MgO)	1.3
Sulfur Trioxide (SO ₃)	0.8
Loss on Ignition	17.9

* Meets ASTM C77-39, Federal SS-C-158 and Code.

These tests fully met the requirements of ASTM C91-38-T, and Federal Specification SS-C-181b, and it is accordingly recommended that Medusa Stoneset Cement and Medusa Brikset Cement be approved for use in New York City as a masonry mortar under Sect. C26-312.0, par. 2 (7.1.1.8.3) and C26-314.0 (7.1.1.9) and C26-418 (8.4.1.6) Adm. Building Code. This material is packed in paper bags 66 lbs. gross, each bag containing 1 cu. ft.

It is recommended that the bags in which this material is marketed be labeled or marked "APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 988-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Medusa Stoneset Cement and Medusa Brikset Cement on condition that the material be manufactured, used, and labelled stamped or tagged in accordance with above report.

1176-39-SM.

APPLICANT—Universal Atlas Cement Company, owner.
SUBJECT—Atlas High-Early Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1176-39-SM)

WHEREAS, the Universal Atlas Cement Company, owner, filed September 25, 1939, an application with the Board of Standards and Appeals for approval of the material known as Atlas High-Early Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 30, 1940.

Re: Cal. No. 1176-39-SM

Subject: Approval of Atlas High-Early Portland Cement

On September 25, 1939, the Universal Atlas Cement Company filed an application for the approval of ATLAS HIGH-EARLY PORTLAND CEMENT as manufactured by the applicant at Hudson, N. Y. for use in New York City pursuant to Section C-26-312.0 c.1 of the Administrative Code (7.1.7.3 B.C.).

This cement is made in a dry-process plant from limestone and shale as raw materials. The limestone is carefully selected from quarry operations and is well mixed in storage. From storage both limestone and shale are fed by accurate weighting equipment into each

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of three rock grinding mills. The fineness of grinding is closely controlled by air-mechanic classifiers. The combined product of the three units is transported in on conveyor to several large blending tanks. Material is drawn from these tanks simultaneously and blended into a common stream and conveyed to another tank, where it is aerated by high pressure air and further blended by churning. From here it is transported to two large storage tanks from which it is drawn into smaller tanks and from them, fed under measured control into the rotary kilns. Powdered coal fuel is fired to the kilns by automatically controlled unit pulverizers at constant and uniform rate. Each kiln is maintained under uniform conditions with an automatically controlled and recorded draft. Temperature recording instruments guide the operators in uniformly maintaining the desired temperatures inside the kilns. A continuous record of kiln revolutions is kept. The clinker is proportioned with gypsum and fed to the grinding mills by automatic weighing equipment. The fineness of grinding is controlled by air-mechanic classifiers. The finished cement is then conveyed to large storage silos from which it is packed either in bags or in bulk.

Fineness tests and chemical analysis for determination of calcium carbonate are made on hourly samples of raw mix. Samples of kiln feed are taken at hourly intervals to determine uniformity of composition and fineness. Uncombined lime in the clinker is determined at frequent intervals and complete chemical analysis is made on 24-hour average samples. Setting time, soundness and fineness tests are made on hourly samples of finished cement as produced and the same tests along with tensile and compressive strength tests and complete chemical analysis are made on daily average samples of cement production.

Tests on this material were witnessed by a representative of the Board at the applicant's laboratory at Hudson, New York, with the following results:

Physical Tests conducted under Federal Specification SS-C-201 pursuant to the Methods prescribed in Federal Specification SS-C-158 and A.S.T.M. Specification C109-37 T.

PHYSICAL TESTS:

As Tested	Federal Spec. SS-C-201	A.S.T.M. Spec. C-74-36
Surface Area 2557 sq. cm. per gm.	1900	—
Soundness O.K.	Sound	Sound
Initial Set (Gillmore)	Not less than	Not less than
2 hrs. 15 min.	60 min.	45 min.
Final Set (Gillmore)	Not more than	Not more than
4 hrs. 15 min.	10 hrs.	10 hrs.
Autoclave Expansion 0.06%	—	—
Compressive Strength: (Federal Spec. SS-C-158, W/C=0.85 by Vol.) Average of 6-2" cubes (lbs. per sq. in.)		
Age 1 day	1454	1250
Age 3 days	3054	2500
Age 7 days	4083	3500
Age 28 days	6369	—
Compressive Strength: (A.S.T.M. Methods C109-37T, W/C=0.80 by Vol.) Average of 6-2" cubes (lbs. per sq. in.)		
Age 1 day	1885	—
Age 3 days	3631	—
Age 7 days	4867	—
Age 28 days	6233	—

Tensile Strength:

Average of 6 briquets

(lbs. per sq. in.)

Age 1 day	305	275	275
Age 3 days	418	375	375
Age 7 days	463	425	—
Age 28 days	498	—	—

CHEMICAL ANALYSIS

	As Analyzed	Not more than	Not more than
SiO ²	20.29	—	—
Fe ² O ³	3.85	6.00	—
Al ² O ³	4.54	7.50	—
CaO	65.75	—	—
MgO	1.32	5.00	5.00
SO ³	2.34	2.50	2.50
Loss	1.35	3.00	4.00
Insol.	0.19	0.75	0.85

CALCULATED COMPOUND COMPOSITION

C ³ S	70.6	C ³ A	5.5
C ² S	5.0	C ⁴ AF	11.7

Consistently homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets describing the manufacturing processes have been filed.

It is accordingly recommended that ATLAS HIGH-EARLY PORTLAND CEMENT, as manufactured by Universal Atlas Cement Company at Hudson, New York, be approved for use in New York City pursuant to Section C26-213.0 c.1 of the Administrative Code (7.1.1.7.3 BC), when made to the specifications contained herein on condition that the monthly mill test reports, signed by the manufacturer's Chief Chemist, be filed with the Board and that all bags be stamped, labeled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1176-39-SM" and that when shipped in bulk, its bill of lading be similarly marked.

The Board reserves the right to test this material from time to time.

(Sgd.) BERNARD A. SAVAGE,

Commissioner

CHARLES M. BLUM,

Commissioner

LESLIE V. HUBER,

Chief Engineer

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Atlas High-Early Portland Cement, on condition that the material be manufactured, used, and labeled stamped or tagged in accordance with above report.

1376-39-SM.

APPLICANT—Peter Martinen, owner.

SUBJECT—Martinen Concrete Blocks, approval of .

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1376-39-SM)

WHEREAS, Peter Martinen, owner, filed on November 9, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Martinen Concrete Blocks; and

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WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 1376-39-SM.

Subject: Martinen Concrete Cement Blocks.

January 29, 1940.

On November 9, 1939, Peter Martinen, owner, filed an application for the approval of 8 in. x 8 in. x 16 in. solid, 8 in. x 8 in. x 16 in. solid and 8 in. x 12 in. hollow, load-bearing, and 8 in. x 8 in. x 16 in. non-load-bearing concrete building units for use in New York City, pursuant to Section C26-309.0 of the Administrative Code (7.1.1.4 BC). These units are manufactured by the applicant at his plant located at 130th place, North Sunrise highway, South Ozone Park, Queens.

The mixing equipment consists of a Batch mixer fed by a volumetric sand container of 6 cubic feet capacity. The mix used was as follows: 6 cubic feet of bank run Port Washington sand, 1 bag of approved Portland cement and, approximately, 5 gallons of water. The water ratio is corrected to allow for a variation in the moisture of the aggregate. The water is fed into mixer through a perforated pipe and controlled by mixer operator by means of a valve at a visible dial meter mounted on the wall of the mixer. The sand and cement were dry-mixed for three minutes and wet-mixed, after adding water, for 1½ minutes. The block machine is of the Tamp type, using four tampers. The mix is fed to the machine by a belt-type conveyor from the mixer.

Specimens were made at the applicant's plant in the presence of a representative of the Board and tested at the Pittsburgh Testing Laboratory, pursuant to methods prescribed in A.S.T.M. Designations C67-37 and C112-36, with the following results:

SIZE: 8 in. x 8 in. x 16 in. Solid Load Bearing (no cells)

Compressive Strength (Pounds per sq. inch)	% Total Absorption
Six Specimens	Five Specimens
1611	7.47
1549	7.26
1523	7.47
1477	7.09
1681	7.66
1860	

AVERAGE 1616

AVERAGE 7.39

SIZE: 8 in. x 12 in. x 16 in. Solid Load Bearing (no cells)

Compressive Strength (Pounds per sq. inch)	% Total Absorption
Six Specimens	Five Specimens
1813	7.50
1712	7.06
1752	7.54
1756	7.62
1899	7.10
1791	

AVERAGE 1787

AVERAGE 7.364

SIZE: 8 in. x 8 in. x 16 in. Hollow Load-Bearing (3-cell)—40% voids

Compressive Strength (Pounds per sq. inch)	% Total Absorption
Six Specimens	Five Specimens
1052	7.24
1043	7.14
1237	6.84
1123	7.10
1047	7.32
1180	

AVERAGE 1113

AVERAGE 7.128

SIZE: 8 in. x 12 in. x 16 in. Hollow Load-Bearing (3-cell)—33% voids

Compressive Strength (Pounds per sq. inch)	% Total Absorption
Six Specimens	Five Specimens
1158	7.62
1083	8.37
1230	7.87
1178	8.10
1156	7.90
988	

AVERAGE 1132

AVERAGE 7.972

On the basis of the foregoing data, it is recommended that MARTINEN CONCRETE BLOCKS, in the sizes as solid and hollow load-bearing units as described herein, be approved for use in New York City, pursuant to Section C26-309.0 a, b & c of the Administrative Code (7.1.1.4 BC) as amended, subject to the provisions of Section C26-358.0 (74.2.4), on condition that the wet-mix of the cement, aggregate and water shall be not less than 3 MINUTES and that a clock with a sweep second hand be installed adjacent to the Batch mixer to insure proper timing of mix; that the concrete be mixed in the proportions provided herein, that such blocks delivered for use in New York City shall be not less than 28 days old; that the Board reserves the right to test these units from time to time; that each block be identified as to origin of manufacture, as required by Section C26-306.0a of the Administrative Code (7.1.1.1.a, BC); that a certified copy of such distinguishing marks shall be filed with the Borough Superintendent in each Borough in which the materials will be used and with this Board; that each delivery of these units shall be accompanied by a delivery slip with the following stamped thereon: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1376-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner
CHARLES M. BLUM,
Commissioner
LESLIE V. HUBER,
Chief Engineer
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Martinen Concrete Blocks, on condition that the material be manufactured, installed, and labelled stamped or tagged in accordance with above report.

1503-39-SM.

APPLICANT—John A. McCarthy and Co., Inc., for Whitehall Cement Manufacturing Co., owner.

SUBJECT—Whitehall Dark Portland Cement, approval of. APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative:: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1503-39-SM)

WHEREAS, John A. McCarthy and Company, Inc., for Whitehall Cement Manufacturing Company, owner, filed on December 14, 1939, an application with the Board of Standards and Appeals, for approval of the material known as

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Whitehall Dark Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Re: Cal. No. 1503-39-SM

Approval of Whitehall Dark Portland Cement.

On December 14, 1939, John A. McCarthy & Co., Inc., applicant, for Whitehall Cement Mfg. Co., owner, filed an application for the approval of WHITEHALL DARK PORTLAND CEMENT for use in New York City pursuant to Section C26-312.0c.1 of the Administrative Code (7.1.1.7.3 BC).

Tests of this material were witnessed by a representative of the Committee on Tests at the manufacturer's laboratory at Cementown, Pa., with the following results:

PHYSICAL TESTS:

As Tested	Federal Spec. SS-C-191-A	A.S.T.M. Spec. C-9-37
Surface Area		
1900 sq. cm. gm.	1500	—
Soundness O.K.	sound	sound
Initial Set		
(Gilmore)	Not less than	Not less than
3 hrs. 15 min.	60 min.	45 min.
Final Set		
(Gilmore)	Not more than	Not more than
5 hrs. 15 min.	10 hrs.	10 hrs.
Expansion Autoclave	—	—
0.24%		
Compressive Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days	2554	900
Age 7 days	3663	1800
Age 28 days	5245	3000
Water used 55%		
Tensile Strength:		
(Average of 6 specimens		
lbs. sq. in.)		
Age 3 days	363	175
Age 7 days	415	275
Age 28 days	433	350
Normal consistency 23.0%		

CHEMICAL ANALYSIS

As Analyzed	Not more than	Not more than
SiO ²	20.0	—
Fe ² O ³	2.4	6.00
Al ² O ³	6.7	7.50
CaO	63.1	—
MgO	2.9	5.00
So ³	2.0	2.00
Loss	2.4	3.00
Insol.	0.25	0.75

COMPONENT PARTS

C ³ S	44.0	C ³ A	13.7
C ² S	24.1	C ⁴ AF	7.3
		Free Lime	1.6

Consistently homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets are on file showing the process of manufacture.

Tests were conducted in accordance with A.S.T.M. Spec. C-9-37 and Federal Specifications SS-C-191-A pursuant to methods prescribed in Federal Specifications SS-C-158.

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that WHITEHALL DARK PORTLAND CEMENT, as manufactured by

Whitehall Cement Mfg. Co., at Cementown, Pa., be approved for use in New York City pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC) when made to specifications contained herein, on condition that monthly mill test reports, certified by the manufacturer's Chief Chemist, be filed with the Board and that all bags be stamped, labeled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal No. 1503-39-SM" and that when shipped in bulk, its bill of lading be similarly marked.

The Board reserves the right to test this material from time to time.

(Sgd.) BERNARD A. SAVAGE,

Commissioner

CHARLES M. BLUM,

Commissioner

LESLIE V. HUBER,

Chief Engineer

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Whitehall Dark Portland Cement, on condition that the material be manufactured, and labelled, stamped or tagged in accordance with above report.

1504-39-SM.

APPLICANT—John A. McCarthy and Co., Inc., for Whitehall Cement Manufacturing Co., owner.

SUBJECT — Whitehall Portland Cement (Regular), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1504-39-SM)

WHEREAS, John A. McCarthy and Co., Inc., for Whitehall Cement Manufacturing Company, owner, filed on December 14, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Whitehall Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Re: Cal. No. 1504-39-SM

Approval of Whitehall Portland Cement.

On December 14, 1939, John A. McCarthy & Co., Inc., applicant for Whitehall Cement Mfg. Co., owner, filed an application for the approval of WHITEHALL PORTLAND CEMENT for use in New York City, pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

Tests of this material were witnessed by a representative of the Committee on Tests at the manufacturer's laboratory at Cementown, Pa., with the following results:

PHYSICAL TESTS:

As Tested	Federal Spec. SS-C-191-A	A.S.T.M. Spec. C-9-37
Surface Area		
1680 sq. cm. gm.	1500	—
Soundness O.K.	sound	sound

MINUTES

Initial Set (Gilmore) 3 hrs. 15 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gilmore) 5 hrs. 35 min.	Not more than 10 hrs.	Not more than 10 hrs.
Expansion Autoclave 0.29%	—	—
Compressive Strength: (Average of 6 specimens lbs. sq. in.)		
Age 3 days 1699	900	
Age 7 days 2921	1800	
Age 28 days 4904	3000	
Water used 58%		
Tensile Strength: (Average of 6 specimens lbs. sq. in.)		
Age 3 days 310	175	
Age 7 days 402	275	275
Age 28 days 472	350	350
Normal consistency 24.0%		

CHEMICAL ANALYSIS

	As Analyzed	Not more than	Not more than
SiO ²	20.2	—	—
Fe ² O ³	2.4	6.00	—
Al ² O ³	6.9	7.50	—
CaO	64.0	—	—
MgO	2.9	5.00	5.00
SO ²	1.7	2.00	2.00
Loss	1.2	3.00	4.00
Insol.	0.23	0.75	0.85

COMPONENT PARTS

C ³ S	44.0	C ³ A	13.7
C ² S	24.1	C ⁴ AF	7.3
		Free Lime	1.16

Consistent homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets are on file showing the process of manufacture.

Tests were conducted in accordance with A.S.T.M. Spec. C-9-37 and Federal Specifications SS-C-191-A pursuant to methods prescribed in Federal Specifications SS-C-158.

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that WHITEHALL PORTLAND CEMENT, as manufactured by Whitehall Cement Mfg. Co., at Cementown, Pa., be approved for use in New York City pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC) when made to specifications contained herein, on condition that monthly mill test report, certified by the manufacturer's Chief Chemist, be filed with the Board and that all bags be stamped, labeled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1504-39-SM" and that when shipped in bulk, its bill of lading be similarly marked.

The Board reserves the right to test this material from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Whitehall Portland

Cement, on condition that the material be manufactured, and labelled, stamped or tagged in accordance with above report.

1505-39-SM.

APPLICANT—John A. McCarthy and Co., Inc., for Whitehall Cement Manufacturing Co., owner.

SUBJECT—Whitehall High Early Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1505-39-SM)

WHEREAS, John A. McCarthy and Co., Inc., applicant, for Whitehall Cement Mfg. Co., owner, filed on December 14, 1939, an application with the Board of Standards and Appeals for approval of the material known as Whitehall High Early Strength Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Re: Cal. No. 1505-39-SM.

Subject: Approval of Whitehall High Early Strength Portland Cement.

On December 14, 1939, John A. McCarthy & Co., Inc., applicant for Whitehall Cement Mfg. Co., owner, filed an application for the approval of WHITEHALL HIGH EARLY STRENGTH PORTLAND CEMENT, for use in New York City pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 Bc).

Tests on this material were witnessed by a representative of the Committee on Tests at the manufacturer's laboratory at Cementown, Pa., with the following results:

PHYSICAL TESTS

As Tested	Federal Spec. S.S.-C-201	A.S.T.M. Spec. C-74-36
Surface Area 2700 sq. cm. gm.	1900	—
Soundness O.K.	sound	sound
Initial Set (Gilmore) 2 hrs. 10 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gilmore) 4 hrs. 15 min.	Not more than 10 hrs.	Not more than 10 hrs.
Expansion Autoclave 0.19%	—	—
Compressive Strength: (Average of 6 specimens lbs. sq. in.)		
Age 1 day 1339	1250	—
Age 3 days 3387	2500	—
Age 7 days 4642	3500	—
Age 28 days 6096	—	—
Water used 59%		
Tensile Strength: (Average of 6 specimens lbs. sq. in.)		
Age 1 day 341	275	275
Age 3 days 437	375	375
Age 7 days 425	425	—
Age 28 days 493	—	—
Normal Consistency 26.5%		

MINUTES

CHEMICAL ANALYSIS

	As Analyzed	Not more than	Not more than
SiO ²	20.0	—	—
Fe ² O ³	2.4	6.00	—
Al ² O ³	6.7	7.50	—
CaO	63.1	—	—
MgO	2.9	5.00	5.00
SO ³	2.0	2.50	2.00
Loss	2.4	3.08	4.00
Insol.	0.25	0.75	0.85
COMPONENT PARTS			
C ³ S	44.0	C ³ A	13.7
C ² S	24.1	C ⁴ AF	7.3
		Free Lime	1.16

Consistently homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets describing the manufacturing process have been filed.

All tests were conducted in accordance with Federal Specifications SS-C-201, pursuant to methods prescribed in Federal Specifications SS-C-158. The Board reserves the right to test this material from time to time.

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that WHITEHALL HIGH EARLY STRENGTH PORTLAND CEMENT, as manufactured by Whitehall Cement Mfg. Co. at Cementown, Pa., be approved for use in New York City pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC) when maintained to the specifications contained herein on condition that monthly mill test reports, certified by the manufacturer's Chief Chemist, be filed with the Board and that all bags be stamped, labelled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1505-39-SM" and that when shipped in bulk, its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Whitehall High Early Strength Portland Cement, on condition that the material be manufactured, and labelled stamped or tagged, in accordance with above report.

1518-39-SM.

APPLICANT—Hoosac Valley Lime Company, owner.
SUBJECT—Hoosac Quicklime and Adams Granular Quicklime for Masonry and Plastering, approval of.

APPEARANCES—

For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1518-39-SM)

WHEREAS, Hoosac Valley Lime Company, Inc., owner filed on December 18, 1940, an application with the Board of Standards and Appeals for the approval of the materials known as Hoosac Granular Quicklime for Masonry, Hoosac Pulverized Quicklime for Masonry, Hoosac Superfine Quicklime for Finishing, Hoosac Granular Quicklime for Finishing and Hoosac Adams Granular Quicklime for Finishing; and

WHEREAS, these materials were submitted to the Committee on Tests of the Board for test and report; and WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Re: Cal. No. 1518-39-SM

Subject: Hoosac Granular Quicklime for Masonry, Hoosac Pulverized Quicklime for Masonry, Hoosac Superfine Quicklime for Finishing, Hoosac Granular Quicklime for Finishing, Hoosac Adams Granular Quicklime for Finishing, approval of.

On December 18th, 1939, the Hoosac Valley Lime Company, Inc., filed an application for approval of the use of Hoosac Granular Quicklime for masonry, Hoosac Pulverized Quicklime for masonry, Hoosac Superfine Quicklime for Finishing, Hoosac Granular Quicklime for Finishing and Hoosac Adams Granular Quicklime for Finishing, as Manufactured by the applicant at Adams, Mass., for use in New York City pursuant to Section C26-312.0a of the Administrative Code (7.1.1.7.1 BC).

Samples of these materials were selected at the yard of the Rader Building Material Co., 1105 Metropolitan avenue, Brooklyn, on December 28, 1939 and tests were conducted at the New York Testing Laboratory, in accordance with A.S.T.M. Specification C-5-34-T with the following results:

Composition on a non-volatile basis Results Required
ASTM C-5-34-T

Hoosac Granular Quicklime for Masonry			
Calcium Oxide	96.05%	75%	Min.
Calcium and Magnesium Oxide	96.65	95%	Min.
Silica, Alumina and Oxide of Iron	2.15	5%	Max.
Carbon Dioxide	2.23	10%	Max.
Soundness	sound	sound	
Residue	1.02%	15%	Max.

Hoosac Pulverized Quicklime for Masonry			
Calcium Oxide	96.41%	75%	Min.
Calcium and Magnesium Oxide	96.81	95%	Min.
Silica, Alumina and Oxide of Iron	2.81	5%	Max.
Carbon Dioxide	2.61	10%	Max.
Soundness	sound	sound	
Residue	0.12%	15%	Max.

Hoosac Superfine Quicklime for Finishing			
Calcium Oxide	96.62%	75%	Min.
Calcium and Magnesium Oxide	96.99%	95%	
Silica, Alumina and Oxide of Iron	2.97	5%	
Carbon Dioxide	2.20	10%	Max.
Soundness	sound	sound	
Residue	0.10%	15%	
(Plasticity A.S.T.M. C-110-34T) (464)			

Hoosac Granular Quicklime for Finishing			
Calcium Oxide	96.19%	75%	Min.
Calcium and Magnesium Oxide	96.77	95%	Min.
Silica, Alumina and Oxide of Iron	2.56	5%	Max.
Carbon Dioxide	2.75	10%	Max.
Soundness	Sound	sound	
Residue	1.01	15%	

Hoosac Adams Granular Quicklime for Finishing

MINUTES

Calcium Oxide	97.28%	75% Min.
Calcium and Magnesium Oxide	97.79	95% Min.
Silica, Alumina and Oxide of		
Iron	1.85	5% Max.
Carbon Dioxide ..	2.46	10% Max.
Soundness	sound	sound
Residue	1.95%	15% Max.

These materials are packed in eighty-pound paper bags and two hundred and eighty-pound barrels. It is estimated that there is sufficient supply of homogeneous raw material at the present time for manufacture for a period of more than fifty years.

Applicant has filed copies of report of the Pittsburgh Testing Laboratory (No. 180631) on the results of Test on Hoosac Superfine Quicklime.

It is accordingly recommended that Hoosac Granular Quicklime for Masonry, Hoosac Pulverized Quicklime for Masonry, Hoosac Superfine Quicklime for Finishing, Hoosac Granular Quicklime for Finishing and Hoosac Adams Granular Quicklime for Finishing, be approved for use in New York City, pursuant to Section C26-312.0a (7.1.1.7.1 BC) C26-463-4.0 (8.4.10.7-8 BC) when maintained to the specifications contained herein on condition that monthly mill test reports, certified by the applicant's chemist, be filed with the Board and that all bags and barrels be tagged, labelled or marked:

"Approved for use in New York City by the Board of Standards and Appeals, when used in accordance with the requirements of Cal. No. 1518-39-SM."

It is further recommended that in using these materials precautions shall be taken as follows during the slaking:

1. Add the lime to the water, not the water to the lime.
2. Moisten the lime thoroughly with water.
3. Prevent steaming by hosing and adding such water as is necessary but do not permit cooling by adding too much water.
4. When weather is cold use hot water.
5. When used in mason's mortar after all action has ceased, store for at least 24 hours before adding any sand.
6. For a *white coat* after all action has ceased, run off putty through a No. 10 sieve and store for at least two weeks.
7. For scratch and brown coats after action has ceased, pass the putty through a No. 8 sieve, add an equal part of sand by weight, then include the hair and store for at least two weeks.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby *approve* the materials known as Hoosac Granular Quicklime for Masonry, Hoosac Pulverized Quicklime for Masonry, Hoosac Superfine Quicklime for Finishing, Hoosac Granular Quicklime for Finishing and Hoosac Adams Granular Quicklime for Finishing, *on condition* that the material be manufactured, used and labelled stamped or tagged in accordance with above report.

1519-39-SM.

APPLICANT—Hoosac Valley Lime Co., owner.

SUBJECT—Hoosac Hydrated Lime for Masonry, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1519-39-SM)

WHEREAS, Hoosac Valley Lime Company, owner, filed on December 18, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Hoosac Mason's Hydrated Lime; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Cal. No. 1519-39-SM.

Subject: Hoosac Masons Hydrated Lime—approval of.

On December 18th, 1939, the Hoosac Valley Lime Company, Inc., filed an application for approval of Hoosac Masons Hydrated Lime as manufactured by the applicant at Adams, Mass., for use in New York City, pursuant to Section C26-312.0b of the Administrative Code (7.1.1.7.2 BC).

Samples of this material were selected at the yard of the Rader Building Material Co., 1105 Metropolitan avenue, Brooklyn, on December 28, 1939, and tests were conducted at the New York Testing Laboratory, in accordance with A.S.T.M. Specification C-6-34-T with the following results

Composition on a non-volatile basis	Results	Required
		A.S.T.M. C-6-34-T
Calcium Oxide	97.03%	75% Min.
Calcium and Magnesium Oxide	97.46	95% Min.
Silica, Alumina and Oxide of		
Iron	2.28	5% Max.
Carbon Dioxide	0.98	10% Max.
Soundness	sound	sound
Residue held on No. 200 sieve	4.50%	15% Max.
Residue held on No. 30 sieve.	0.0	0.2% Max.

This material is packed in fifty-pound paper bags. It is estimated that there is sufficient supply of homogeneous raw material at the present time for manufacture for a period of more than fifty years.

It is accordingly recommended that Hoosac Masons Hydrated Lime be approved for use in New York City, pursuant to Sections C26-312.0b (7.1.1.7.2 BC) C26-463-4.0 (8.4.10.7-8 BC), when maintained to the specifications contained herein on condition that monthly mill test reports, signed by the applicant's chemist, be filed with the Board and that all bags be tagged, labelled or marked:

"Approved for use in New York City by the Board of Standards and Appeals when used in accordance with the requirements of Cal No. 1519-39-SM."

It is further recommended that this material be slaked at least 12 hours before combining with sand.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

MINUTES

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Hoosac Masons Hydrated Lime, on condition that the material be manufactured, used, and labelled stamped or tagged in accordance with above report.

1523-39-SM.

APPLICANT—Rockland-Rockport Lime Company, Inc., owner.

SUBJECT—Pilgrim Hydrated Lime for Masonry, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative ... 0

THE RESOLUTION—

(1523-39-SM)

WHEREAS, the Rockland-Rockport Lime Company, Inc., owner, filed on December 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as Pilgrim Masons Hydrated Lime; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Cal. No. 1523-39-SM.

Subject: Pilgrim Masons Hydrated Lime, approval of.

On December 18th, 1939, the Rockland-Rockport Lime Co., Inc., filed an application for approval of Pilgrim Masons Hydrated Lime as manufactured by the applicant at Rockland, Maine, and by the Hoosac Valley Lime Co., Inc., at Adams, Mass., for use in New York City, pursuant to Section C26-312.0b of the Administrative Code (7.1.1.7.2 BC).

Samples of this material were selected at the yard of the Rader Building Material Co., 1105 Metropolitan avenue, Brooklyn, on December 28, 1939, and tests were conducted at the New York Testing Laboratory, in accordance with A.S.T.M. Specification C-6-34-T with the following results:

Composition on a non volatile basis	Results	Required A.S.T.M. C-6-34-T
Calcium Oxide	95.84%	75% Min.
Calcium and Magnesium Oxide	96.30	95% Min.
Silica, Alumina and Oxide of Iron	2.45	5% Max.
Carbon Dioxide	2.86	10% Max.
Soundness	sound	sound
Residue held on No. 200 sieve	7.00%	15% Max.
Residue held on No. 30 sieve	0.0	0.2% Max.

This material is packed in fifty-pound paper bags. It is estimated that there is sufficient supply of homogeneous raw material at the present time for manufacture for a period of more than fifty years.

It is accordingly recommended that Pilgrim Masons Hydrated Lime be approved for use in New York City pursuant to Section C26-312.0b (7.1.1.7.2 BC) C26-463-4.0 (8.4.10.7-8 BC) when maintained to the specifications contained herein, on condition that monthly mill test reports, signed by the applicant's chemist, be filed with the Board and that all bags be tagged, labelled or marked:

"Approved for use in New York City by the Board of Standards and Appeals, when used in

accordance with the requirements of Cal. No. 1523-39-SM."

It is further recommended that this material be slaked for at least 12 hours before combining with sand.

The Board reserves the right to test this material from time to time.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Pilgrim Masons Hydrated Lime, on condition that the material be manufactured, used, and labelled stamped or tagged in accordance with above report.

1524-39-SM.

APPLICANT—Rockland-Rockport Lime Co., Inc., owner.

SUBJECT—Star Quicklime, Failproof Quicklime and Rockland Waterproof Quicklime, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative ... 0

THE RESOLUTION—

(1524-39-SM)

WHEREAS, The Rockland-Rockport Lime Company, Inc., owner, filed on December 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as Star Pulverized Quicklime for Masonry, Rockland Waterproof Lime for Masonry and Failproof Quicklime for Finishing; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 29, 1940.

Cal. No. 1524-39-SM.

Subject: Star Pulverized Quicklime for Masonry

Rockland Waterproof Lime for Masonry

Failproof Quicklime for Finishing, approval of.

On December 18, 1939, the Rockland-Rockport Lime Co., Inc., filed an application for approval of the use of Star Pulverized Quicklime for Masonry, Rockland Waterproof Lime for Masonry, and Failproof Quicklime for Finishing, as manufactured by the applicant at Rockland, Maine and Adams, Mass., for use in New York City pursuant to Section C26-312.0a of the Administrative Code (7.1.1.7.1 BC).

Samples of these materials were selected at the yard of Harold H. Anthony, Inc., Broadway and Vernon boulevard, Long Island City and Rockland Waterproof Lime and Failproof Quicklime for Finishing at Orin Perry, 132nd street and Willis avenue, Bronx, on December 18, 1939 and tests were conducted at the New York Testing Laboratory in accordance with A.S.T.M. Specification C-5-34-T with the following results:

Composition on a non-volatile basis	Results	Required A.S.T.M. C-5-34-T
Star Pulverized Lime—		
Calcium Oxide	95.32%	75.32 Min.

MINUTES

Calcium and Magnesium Oxide	95.99	95% Min.
Silica, Alumina and Oxide of		
Iron	2.56	5% Max.
Carbon Dioxide	1.00	10% Max.
Soundness	sound	sound
Residue	0.20	15% Max.
Rockland Waterproof Lime—		
Calcium Oxide	94.64%	75% Min.
Calcium and Magnesium Oxide	96.46	95% Min.
Silica, Alumina and Oxide of		
Iron	2.78	5% Max.
Carbon Dioxide	1.89	10% Max.
Soundness	Satisfactory	sound
Residue	0.10	15% Max.
Failproof Finishing Lime—		
Calcium Oxide	94.54%	75% Min.
Calcium and Magnesium Oxide	96.13	95% Min.
Silica, Alumina and Oxide of		
Iron	2.54	5% Max.
Carbon Dioxide	0.92	10% Max.
Soundness	Satisfactory	sound
Residue	0.02	15% Max.
(A.S.T.M. C-110-34T Plasticity 445)		

These materials are packed in 80 lb. paper bags and 280 lbs. barrels. It is estimated that there is sufficient supply of homogeneous raw material at the present time for manufacture for a period of more than fifty years.

Applicant has filed a copy of Report No. 180632 of Pittsburgh Testing Laboratory on Failproof Pulverized Quicklime and copies of reports of the Thompson & Lichtner Co., Inc., on Rockland Waterproof Lime and Rockland Failproof Lime.

It is accordingly recommended that Star Pulverized Quicklime for Masonry, Rockland Waterproof Lime for Masonry and Failproof Quicklime for Finishing, be approved for use in New York City pursuant to Sections C26-312.0a (7.1.1.7.1 BC) and C26-463-4.0 (8.4.10.7-8 BC), when maintained to the specifications contained herein on condition that certified monthly mill test reports, signed by the applicant's chemist, be filed with the Board and that all bags and barrels be tagged, labelled or marked:

"Approved for use in New York City, by the Board of Standards and Appeals, when used in accordance with the requirements of Cal. No. 1524-39-SM."

It is further recommended that in using these materials, that precautions shall be taken as follows during the slaking:

1. Add the lime to the water, not the water to the lime.
2. Moisten the lime thoroughly with water.
3. Prevent steaming by hosing and adding such water as is necessary but do not permit cooling by adding too much water.
4. When weather is cold use hot water.
5. When used in mason's mortar after all action has ceased, store for at least 24 hours before adding any sand.
6. For a *white coat* after all action has ceased run off putty through a No. 10 sieve and store for at least two weeks.
7. For scratch and brown coats after action has ceased pass the putty through a No. 8 sieve, add an equal part of sand by weight, then include the hair and store for at least two weeks.

The Board reserves the right to test this material from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Star Pulverized Quicklime for Masonry, Rockland Waterproof Lime for Masonry, and Failproof Quicklime for Finishing, on condition that the materials be manufactured, used, and labelled stamped or tagged in accordance with above report.

122-40-GR.

SUBJECT—General resolution, (Interpretation as to Combustible Lath), adoption of.

ACTION OF BOARD—Resolution Adopted.

THE VOTE TO ADOPT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh

Negative

THE RESOLUTION—

(122-40-GR)

WHEREAS, under the Administrative Building Code, lath is classified as either "Combustible Lath" (8.4.10.2-C26-458.0) or "Metal Lath" (8.4.10.3-C26-459.0); and

WHEREAS, certain brands of lath, consisting of metal fabric with paper backing, do not meet the requirements for "Metal Lath" and hence are classified under "Combustible Lath"; and

WHEREAS, under Section 8.4.10.2 — C26-458.0, it is unlawful to apply combustible lath on wood studs in structures exceeding three (3) stories in height for more than two (2) stories in advance of the scratch coat plastering; and

WHEREAS, the Board in a number of appeals has varied the application of the law where the paper backing is flameproofed and attached by means of weaving the metal fabric through the paper; and

WHEREAS, in the opinion of the Board the two-story provision was for the purpose of preventing spread of fire during building construction, and was intended to apply only to such types of lath classified as "Combustible Lath", which actually support combustion.

Resolved, that it is the opinion of the Board that such lath, even if classified as "Combustible Lath" because of not meeting the Code requirements for "Metal Lath" (8.4.10.3 C26-459.9), may be used under the requirements of 8.4.10.2 C26-458, without the two-story requirement, provided the paper backing is integral with the metal fabric and attached by means of weaving the metal fabric through the paper and is flameproofed as required by the Board and there is no other material or substance used in connection therewith that will support combustion.

Adjourned, 5:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, FEBRUARY 2, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

1415-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re. decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three

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(3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Blackstone avenue, (Block No. 3418, Lot No. 805), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis L. Altman, Ben Riley, John A. Larkin, John A. Devany, Jr., and Edward L. Larkin.

For Opposition: T. J. Nevins, Mary Louise Field and others.

ACTION OF BOARD—Laid over to February 23, 1940, at 10 A.M., applicant to send out notices by registered mail to all owners in the area for a continuation of hearing to be held on the above date, for consideration by the Board under Sec. 21 and Sec. 60 of the Multiple Dwelling Law; notices to be sent by registered mail so as to give the required 10 days notice.

1416-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re. decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis L. Altman, Ben Riley, John A. Larkin, John A. Devany, Jr., and Edward L. Larkin.

For Opposition: T. J. Nevins, Mary Louise Field and others.

ACTION OF BOARD—Laid over to February 23, 1940, at 10 A.M., applicant to send out notices by registered mail to all owners in the area for a continuation of hearing to be held on the above date, for consideration by the Board under Sec. 21 and Sec. 60 of the Multiple Dwelling Law; notices to be sent by registered mail so as to give the required 10 days notice.

1417-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re. decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis L. Altman, Ben Riley, John A. Larkin, John A. Devany, Jr., and Edward L. Larkin.

For Opposition: T. J. Nevins, Mary Louise Field and others.

ACTION OF BOARD—Laid over to February 23, 1940, at 10 A.M., applicant to send out notices by registered mail to all owners in the area for a continuation of hearing to be held on the above date, for consideration by the Board under Sec. 21 and Sec. 60 of the Multiple Dwelling Law; notices to be sent by registered mail so as to give the required 10 days notice.

1418-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re. decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis L. Altman, Ben Riley, John A. Larkin, John A. Devany, Jr., and Edward L. Larkin.

For Opposition: T. J. Nevins, Mary Louise Field and others.

ACTION OF BOARD—Laid over to February 23, 1940, at 10 A.M., applicant to send out notices by registered mail to all owners in the area for a continuation of hearing to be held on the above date, for consideration by the Board under Sec. 21 and Sec. 60 of the Multiple Dwelling Law; notices to be sent by registered mail so as to give the required 10 days notice.

1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re. decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis L. Altman, Ben Riley, John A. Larkin, John A. Devany, Jr., and Edward L. Larkin.

For Opposition: T. J. Nevins, Mary Louise Field and others.

ACTION OF BOARD—Laid over to February 23, 1940, at 10 A.M., applicant to send out notices by registered mail to all owners in the area for a continuation of hearing to be held on the above date, for consideration by the Board under Sec. 21 and Sec. 60 of the Multiple Dwelling Law; notices to be sent by registered mail so as to give the required 10 days notice.

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re. decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis L. Altman, Ben Riley, John

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A. Larkin, John A. Devany, Jr., and Edward L. Larkin.

For Opposition: T. J. Nevins, Mary Louise Field and others.

ACTION OF BOARD—Laid over to February 23, 1940, at 10 A.M., applicant to send out notices by registered mail to all owners in the area for a continuation of hearing to be held on the above date, for consideration by the Board under Sec. 21 and Sec. 60 of the Multiple Dwelling Law; notices to be sent by registered mail so as to give the required 10 days notice.

Adjourned 10:10 A.M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, May 31, 1939, as they appeared in Bulletin No. 23, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(665-39-A)

WHEREAS, Mayers, Murray and Phillip, for the City Club Realty Company, owner, filed on May 19, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 55-57 West 44th street, north side, 216 ft. 10 in. east of Sixth avenue (Block No. 1260, Lot No. 10), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Application No. 1588-39 dated May 18, 1939, reads:

"1. Means of egress are inadequate. Due to change of use from residential to business. The means of egress must comply with all requirements for a new business building.

2. A fire tower complying with Art. 7 of Bldg. Code is required for buildings over 85 ft. high and having a floor area exceeding 2500 sq. ft.—6.1.2.2.3.

3. An interior stairway complying with Art. 7 of Bldg. Code is also required.

4. All required stairs must extend to roof. Also mark on plans all dimensions for stairs and landings and doors. Indicate all materials and thicknesses for all stairs enclosing partitions. State type of doors and windows in stair enclosures."

and

WHEREAS, the building is 7 stories and penthouse (95 ft.) in height, 44 ft. 10 in. by 100 ft. 5 in. in area, of fireproof construction; equipped with a standpipe system; erected in 1902; located in a retail use district and occupied: Subcellar—boiler room; Cellar—storage and toilets; 1st floor—club; 2nd floor—club; 3rd floor—club dining room; 4th, 5th, 6th, 7th floors and penthouse—bedrooms in connection with the club use; proposed to be occupied as follows: Subcellar—same; Cellar—same; 1st floor restaurant; 2nd floor—club; 3rd floor—club dining room; 4th, 5th, 6th, 7th floors—offices, 60 persons per floor; penthouse—offices, 30 persons; and

WHEREAS, the applicant contends that due to economic changes, it is proposed to maintain the 2nd and 3rd floors as the club and to alter the 1st and upper floors to business use; that the building has a net area of 3200 sq. ft. and the penthouse is 1290 sq. ft.; that all floors are served by two stairs; that it is proposed to replace the front stairway with new stairs, and that both stairways will lead directly to the street by means of independent fireproof passages; that the use of the upper floors for office purposes is not an increase in fire hazard over the present use; that the present height of the main building is 85 ft., which is within the limit of the old code for standpipe requirements; that it is requested that the present rear stair be permitted to remain, as reconstruction of this stair would involve undue hardship, as is evident from the plan filed; that there is no proposed increase in height; that the required fire-

tower would encroach on the clubrooms on the 2nd floor and ruin the design of the club diningroom on the 3rd floor.

Resolved, that the decision of the borough superintendent, on Alt. Application No. 1588-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 2, permitting the omission of the fire tower, *on condition* that the building shall not be further increased in height and shall not exceed 95 ft. in height to the main roof of the penthouse and provided there shall be two stairways complete from the main roof to the street, as shown on plans filed with this appeal, provided such stairways are enclosed for their length in fireproof partitions complying with the requirements of the building code, except where there is an existing fireproof enclosure, such enclosure may be permitted if not less than 4 in. terra cotta block; that the width of the stairs shall comply with the requirements of the code, except that in connection with the rear existing stair, treads shall at no point be less than 2 ft. 10 in. in width; that at least one of the existing fire escapes with an exit to the rear yard of adjoining premises shall be maintained; that in all other respects the stairs shall comply with the requirements therefor and except that the one stairs need not be extended to the roof bulkhead in the penthouse story, provided a second stair exists to the main roof at the eighth floor level; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

* Correction—"85 ft." changed to "95 ft." in line 60 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, July 18, 1939, as they appeared in Bulletin No. 30, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(910-39-A)

WHEREAS, George D. McManus, President, McManus Laboratories, Inc., lessee, for All Purpose Gold Corporation, owner, filed July 5, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 107-111 Myrtle avenue, north side, 21 ft. west of Bridge street (Block No. 143, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79399-LC, dated April 18, 1939, reads:

"1. Discontinue the storage and sale of 'Riller Hair Curling Compound' and 'Machineless Waving Powder' and 'Koolerets' for the reason that it is the opinion of this department that said materials are too hazardous to be stored and sold in the City of New York. C-19-11.0, Administrative Code.

2. Provide 6 metal water pails of at least 10 quarts capacity, for each 2500 square feet of area, on 1st story and in cellar. Pails to be painted red and marked FIRE with letters not less than two and one half inches in height. Pails to be kept full of clean sand or water, same not to be used for any other purpose. Placed on permanent shelves, hooks or racks, same to be not less than two feet nor more than four and one half feet above the floor. C-19-10.0, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 9, 1939; and

WHEREAS, the building is five stories (65 ft.) in height, 60 ft. by 100 ft. in area, of non-fireproof construction, located in a business use district, erected about 1890, and occupied: 1st floor—beauty shop supplies—10 persons; 2nd floor—paper box company—2 to 6 persons; 3rd floor—gold leaf manufacturing—10 persons; 4th floor—gold leaf manufacturing—24 persons; 5th floor—manufacture of hot dye stamping material—6 persons; and

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WHEREAS, the applicant contends that "Rilling Kooler-wave Solution" is a water solution of various salts, consisting of 95% water and none of the dissolved salts are inflammable; that it can actually be used as a fire-extinguisher; that no "machineless waving powder" is stored on the premises; that the "Rilling Koolerettes" stored on the premises consist of paper rolled cigarette shaped pellets, packed in sealed air-tight and water-tight cans; that these pellets are non-inflammable; that an adequate number of fire pails has been provided.

Resolved, that the order of the fire commissioner, No. 79399-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item No. 1, *on condition* that no manufacture of the product shall be conducted on the premises; that the storage of the product shall not exceed 1,000 hermetically sealed cans containing approximately 2 lbs. of material in each can; that no can shall be opened or its contents used on the premises; that in all other respects the requirements of the fire commissioner's order shall be complied with.

*Correction—"½ lb." changed to "2 lbs." in line 52 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, December 12, 1939, as they appeared in Bulletin No. 51, Vol 24, are hereby corrected to read as follows:

THE RESOLUTION—

(1395-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed on November 14, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 56-32 to 56-50 186th street, northwest corner of 58th avenue (Block No. 5671, Lot No. 23), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 26, 1939, on N.B. Applic. Nos. 8318 to 8323-39 inclusive, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the decision of the borough superintendent on

N.B. Applic. Nos. 9246 to 9251-39, dated November 9, 1939, referring to garages reads:

"1. Within the fire limits ("Unrest. D") it is unlawful to construct frame structures; sec. 4.1.2 (not further considered)."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on the north side of 58th avenue and 240 ft. on the west side of 186th street, which it is proposed to subdivide into six separate 40 ft. lots and to erect on each a one-family frame dwelling and a private garage; and

WHEREAS, the applicant contends that it is the owner of a large tract of land now being developed with one and two-story frame buildings of the type as now proposed for the parcel in question; that it is the intention of the owner to file a declaration of restriction covering all the property owned by it for use as residential property only; that to construct solid brick houses in this vicinity would be too expensive and the cost not justified by possible sales; that relief is requested similar to that granted by the board to this applicant under Cal. No. 1180-39-A.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 8318 to 8323-39 inclusive and 9246 to 9251-39, inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of frame buildings as proposed, substantially as shown on plans filed herein, *on condition* that the buildings shall be limited to residential occupancy of one family each; that the buildings shall comply with all the requirements of the "F" area district, except that one side yard need not exceed five feet in width, provided the distance between houses is not less than 15 feet, and except that the chimney breasts may extend into the side yards for a distance of not over 1 foot; that any garages shall be not nearer than one foot to any side yard or rear lot line; that on the building at the corner of 186th street and 58th avenue, the side yard on 58th avenue need not be more than 10 feet in width; that the first story of the buildings shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that in all other respects the buildings shall comply with the requirements for buildings *outside* the fire limits.

*Correction—The word "within" changed to "outside" in last line of resolution.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair treads constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fires escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor level and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

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The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupants as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unob-

structed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 7

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

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CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Minutes of Regular Meeting February 6, 1940, at 2 P. M., Affecting Calendar Numbers 265-28-BZ, 372-29-BZ, 756-20-BZ, 460-26-BZ, 807-28-BZ, 42-32-BZ, 200-33-BZ, 127-35-BZ, 54-37-BZ, 1111-39-A, 1473-39-A, 13-40-A, 59-40-A, 112-40-A, 125-40-A, 1300-39-A, 24-40-A, 58-40-A, 488-37-A, 516-37-A, 635-38-A, 857-39-A, 909-39-A, 1509-39-A, 1540-39-A, 21-40-A, 39-40-A, 53-40-A, 54-40-A, 76-40-A, 201-39-SA, 334-39-SA, 124-38-SM and 526-39-SM.

Correction Affecting Calendar Number 1152-39-BZ.

Fire Retarding Rules for Garages, etc.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to February 13, 1940.

Cal. No. Department. Premises Affected.

123-40-SM.....Royalite Rubber Tile Flooring,
manufactured by Paul Coste,
Inc., Material.

124-40-A.....H.B.M....296-302 South street, north side,
145 ft. 2 in. west of Mont-
gomery street (Block No. 245,
Lot No. 11), Borough of
Manhattan,
Revocation of Certificate of
Occupancy No. 25551

125-40-A.... H.B.B.....59 Sands street, north side, 78 ft.
4 in. east of Adams street
(Block No. 76, Lot No. 22),
Borough of Brooklyn,
Alt. 5278-39.

126-40-SM.....Fyreplaster (Hythermlag or Lag-
board), manufactured by John
M. Knote, Material.

127-40-SM.....Ensign GB-825 Closet Combina-
tion, manufactured by General
Ceramics Corporation,
Material.

128-40-SM.....Commander GB-835 Closet Com-
bination, manufactured by Gen-
eral Ceramics Corporation,
Material.

129-40-SM.....Belmont G-211 Closet Combina-
tion, manufactured by General
Ceramics Corporation,
Material.

130-40-SA.....Neptune Red Seal Computer or
Non-Computer Pump, with or
without Hose Reel, Model 855,
Appliance.

131-40-A.....H.B.B.....437 Columbia street, east side, 20
ft. north of West Ninth street
(Block No. 534, Lot No. 2),
Borough of Brooklyn,
Alt. 5206-39.

132-40-BZ....H.B.Q.....50-05 30th avenue, north side, 28
ft. east of 50th street (Block
No. 743, Lot Nos. 27 and 28),
Long Island City, Borough of
Queens, N.B. 5637-39.

133-40-BZ....H.B.B.....1069 Rogers avenue, east side,
96 ft. 10¼ in. south of Cor-
telyou road (Block No. 5171,

Lot No. 60), Borough of
Brooklyn, Alt. 4840-39.

134-40-A.....H.B.M....203 West 67th street, north side,
75 ft. west of Amsterdam ave-
nue (Block No. 1159, Lot No.
28½), Borough of Manhattan,
P.D. Applic. 2373-39.

135-40-SMNational Sand-Lime Building
Brick, marked C.E.H. and
M.P.S., manufactured by Na-
tional Brick Corporation,
Material.

136-40-A.....H.B.M....875-877 Fifth avenue and 2-4 East
69th street, southeast corner
(Block No. 1383, Lot Nos.
69-72, inclusive), Borough of
Manhattan,
Elevator Applic. 391-39
re N. B. 176-39.

137-40-BZ....H.B.Q.....148-26 Hillside avenue, south
side, 103.25 ft. east of 148th
street (Block No. 9694, Lot
No. 17), Jamaica, Borough of
Queens, Alt. 843-39.

138-40-A.... F.D.....43-22 Queens street, west side, 200
ft. south of Jackson avenue,
and 43-21 Dutch Kills street,
east side, 150 ft. south of Jack-
son avenue (Block No. 266,
Lot No. 3), Long Island City,
Borough of Queens,
82176-L.C.

139-40-SM.....Sloan V-100-B, ½ in. and ¾ in.
I.P.S. Vacuum Breaker, manu-
factured by Sloan Valve Com-
pany, Material.

140-40-SM.....Preservall No. 1 Lacquer and
Preservall No. 1 Special Thin-
ner for Lacquer, manufactured
by Artstone Rocor Corpora-
tion as Agent for Dolle-Kas-
pareit Corporation, owner,
Material.

141-40-SM.....Artstone Stucco, Roman Stucco,
Artstone Plastic Stone, Art-
stone Marine Finish and Art-
stone Plastic Marble, manu-
factured by Artstone Rocor
Corporation as Agent for
Dolle-Kaspereit Corporation,
owner, Material.

142-40-SM.....Artstone Textural Plastic and

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Roman Tex (Plastic Paint),
manufactured by Artstone
Rocor Corporation as Agent
for Dolle-Kaspereit Corpora-
tion, owner. Material.

143-40-SM.....Artstone Architectural Finish,
Roman Plaster, Fire retard
Color-Koat and Tuckahoe
Plaster (Interior Finish Coat
Plasters), manufactured by
Artstone Rocor Corporation
as Agent for Dolle-Kaspereit
Corporation, owner,
Material

144-40-BZ....H.B.Q.....96-04 to 96-22 149th avenue, south
side, from 96th street to 96th
place (Block No. 2362, Lot
No. 10 and part of Lot Nos.
1 and 12), Ozone Park, Bor-
ough of Queens,
N.B. 9928-39.

145-40-BZ....H.B.Q.....163-02 Baisley boulevard, south-
east corner of New York ave-
nue (Block No. 3300, Lot No.
2), Jamaica, Borough of
Queens,
N.B. 9981-39, N.B. 9982-39
and Alt. 4-40.

146-40-A.....H.B.M.....39 West 54th street, north side,
280 ft. east of Sixth avenue
(Block No. 1270, Lot No.
12), Borough of Manhattan,
Decision—re Certificate of
Occupancy.

147-40-A.....F.D.....1-5 Bond street, southwest corner
of Shinbone Alley (Block No.
529, Lot No. 10), Borough of
Manhattan,
6330-L.F. and Decision.

148-40-SA.....Relma Oil Burner and OFA Oil
Burner, Appliance.

149-40-A.....H.B.B.....1464-1488 Linden boulevard, south
side, 262 ft. 2 in. east of Rock-
away avenue (Block No. 3644,
part of Lot No. 26), Borough
of Brooklyn, Applic. 160-40.

150-40-SA.....Grant Type No. 2, Interlock,
Appliance.

151-40-A.....F.D.....37-12 Main street, west side,
107.40 ft. south of 37th avenue
(Block No. 841, Lot No. 38),

Flushing, Borough of Queens,
3043-L.F. and Decision.

152-40-BZ....H.B.Q.....Northeast corner of Beach Chan-
nel Drive and Far Rockaway
boulevard (Block No. 246, Lot
No. 20), Far Rockaway, Bor-
ough of Queens,
N.B. 10176-39.

153-40-A.....F.D.....30 Greenwich street, north side,
100 ft. west of West Tenth
street (Block No. 606, Lot
No. 10), Borough of Manhat-
tan, Decisions—re 3651-L.F.

154-40-SM.....Tremglaze-Mastic Glazing Com-
pound, manufactured by The
Tremco Manufacturing Com-
pany, Material.

155-40-SM.....Tremco Caulking and Pointing
Compound, manufactured by
The Tremco Company,
Material.

156-40-A.....H.B.Q.....76-59 263rd street, northeast cor-
ner of 76th avenue (Block
Nos. 26A, 27A, 34A to 42A,
inclusive, Lot No. None);
(Hillside Hospital), Creed-
more, Borough of Queens,
N.B. 771-40.

157-40-A.....H.B.B.....324-326 Gates avenue, south side,
125 ft. east of Bedford avenue
(Block No. 1812, Lot No. 11),
Borough of Brooklyn,
Misc. Applic. 5110-39.

158-40-A.....H.B.Q.....58-27 to 58-29 185th street, east
side, 240 ft. south of 58th ave-
nue (Block No. 5689, Lot No.
1), Flushing, Borough of
Queens,
N.B. 431-40 to N.B. 434-40,
inclusive, and N.B. 484-40
to N.B. 487-40, inclusive.

159-40-A.....H.B.Q.....58-20 to 58-28 185th street, west
side, 160 ft. south of 58th ave-
nue (Block No. 5688, Lot No.
13), Flushing, Borough of
Queens,
N.B. 428-40 to N.B. 430-40,
inclusive, and N.B. 481-40 to
N.B. 484-40, inclusive.

160-40-A.....F.D.....37-15 to 37-19 82nd street, east
side, 136 ft. 7 in. south of Polk
avenue (Block No. 1470, Lot

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No. 59), Jackson Heights,
Borough of Queens,
3924-L.F.

Post road (Block No. 4729,
Lot No. 11), Borough of The
Bronx, Alt. 29-40.

161-40-A.....H.B.M.....3-9 West 34th street, north side,
150 ft. west of Fifth avenue,
and 4-16 West 35th street
(Block No. 836, Lot No. 26),
Borough of Manhattan,
B.N. 336-40.

170-40-BZ....H.B.M....205-209 East 98th street, north
side, 110 ft. east of Third ave-
nue (Block No. 1648, Lot
Nos. 5, 6 and 7), Borough of
Manhattan,
Decision—re Certificate of
Occupancy.

162-40-BZ....H.B.Q.....31-06 31st avenue, southeast cor-
ner of 31st street (Block No.
613, Lot Nos. 37 and 38), As-
toria, Borough of Queens.
Misc. Applic. 10125-39.

171-40-BZ....H.B.M....223-225 East 98th street, north
side, 225 ft. west of Second
avenue (Block No. 1648, Lot
Nos. 14 and 15), Borough of
Manhattan,
Decision—re Certificate of
Occupancy.

163-40-BZ....H.B.B.....282-294 Chester street, west side,
180 ft. north of Dumont ave-
nue (Block No. 3559, Lot
Nos. 39, 40, 41, 43 and 45),
Borough of Brooklyn,
Drop Curb Applic. 9086-39.

172-40-BZ....H.B.M....58-60 East 113th street, south
side, 25 ft. 6 in. east of Mad-
ison avenue (Block No. 1618,
Lot Nos. 51 and 52), Borough
of Manhattan,
Decision—re Certificate of
Occupancy.

164-40-BZ....H.B.M....449-451 West 35th street, north
side, 194 ft. east of Tenth
avenue (Block No. 733, Lot
Nos. 9 and 10), Borough of
Manhattan,
Drop Curb Applic. 2-40.

173-40-BZ....H.B.M....321-323 East 114th street, north
side, 250 ft. east of Second
avenue (Block No. 1686, Lot
Nos. 11 and 12), Borough of
Manhattan,
Decision—re Certificate of
Occupancy.

165-40-BZ....H.B.Bx...1324 Crosby avenue, east side, 150
ft. south of La Salle avenue
(Block No. 5360, Lot No.
21), Borough of The Bronx,
Slip Applic. 170-28—re
Certificate of Occupancy.

174-40-A.... F.D.....273-287 Conover street, east side,
110 ft. 6 in. south of Reid
street (Building Nos. 339,
344 and 345); (Block No. 611,
part of Lot No. 1), Borough
of Brooklyn, 82285-L.C.

166-40-BZ....H.B.Bx...235 East 203rd street, north side,
37 ft. 6 in. west of Valentine
avenue (Block No. 3309, Lot
No. 30), Borough of The
Bronx, Alt. 670-39.

167-40-BZ....H.B.M....232-240 Central Park South, 235-
241 West 58th street and 1796-
1808 Broadway, east side, from
Central Park South to West
58th street (Block No. 1030,
Lot No. 58), Borough of Man-
hattan, N.B. 143-39.

Restored to Calendar.
909-39-A.....F.D.....166-01 to 166-03 Jamaica avenue,
northeast corner of 166th
street (Block No. 867, Lot
No. 19), Jamaica, Borough of
Queens,
990-L.F. and Decision.

168-40-SM.....Craftsweld No. 1 Hy-Tensile
Acetylene Gas Welding Rod,
manufactured by Craftsweld
Equipment Corporation,
Material.

201-39-SA.....Carrier Direct Fired Gas Burner,
Model 58C4, Appliance.
334-39-SA.....Carrier Oil Burner, Model 62D5,
Appliance.

169-40-A.....H.B.Bx...1272 East 222nd street, south
side, 130.07 ft. west of Boston

756-20-BZ....H.B.Bx...4741-4751 Park avenue, northeast
corner of East 189th street
(Block No. 3033, Lot No. 4),

CALENDAR

Borough of The Bronx,
Decision—re Alt. 497-39.

265-28-BZ....H.B.Bx...3181 Westchester avenue, west
side, 161.14 ft. south of Wil-
kinson avenue (Block No.
4235, Lot Nos. 43 and 44),
Borough of The Bronx,
Alt. 794-39.

272-39-BZ....H.B.M....645-647 Madison avenue, east
side, 50.5 ft. south of East 60th
street (Block No. 1374, Lot
No. 51), Borough of Manhat-
tan, N.B. 23-39.

502-32-BZ....H.B.Q.....Southwest corner of Metropol-
itan avenue and 126th street
(Block No. 207, part of Lot
No. 4), Woodhaven, Borough
of Queens, N.B. 1310-32.

555-27-BZ....H.B.Bx...2815-2819 Boston Post road and
926-930 Arnow avenue, south-
west corner (Block No. 4516,
Lot No. 29), Borough of The
Bronx, N.B. 862-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

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Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb. 6, 1940—Vol. 25, No. 6
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Fire Retarding Rules for Garages, etc.	Feb. 13, 1940—Vol. 25, No. 7
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
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Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Oct. 3, 1939—Vol. 24, No. 40
Oil Burner Rules	Jan. 30, 1940—Vol. 25, No. 5
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Paint, Varnish and Lacquer Spray- ing Rules	Nov. 14, 1939—Vol. 24, No. 46
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply)	Nov. 7, 1939—Vol. 24, No. 45
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Oct. 10, 1939—Vol. 24, No. 41
Smoking in Factories, Rules for	Feb. 6, 1940—Vol. 25, No. 6
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov. 21, 1939—Vol. 24, No. 47
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Oct. 3, 1939—Vol. 24, No. 40
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Jan. 23, 1940—Vol. 25, No. 4
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spray- ing Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

FEBRUARY 13, 1940, 2 P. M.

Appeal from Administrative Decision.

1111-39-A—545-567 Ridgewood avenue, northeast corner
of Nichols avenue (Block No. 4122, Lot
Nos. 1 and 100), Borough of Brooklyn.

FEBRUARY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Wednesday morning, Febru-
ary 14, 1940, at 10 o'clock, in Room 1013, Municipal Build-
ing, Manhattan, on the following matters:*

CAL. NO. 1245-39-BZ—Application, October 9, 1939, under
section 21 of the building zone resolu-
tion, of Victor Mayper, applicant, on
behalf of Ojar Holding Corporation,
owner, to permit in an unrestricted use
district and, also "B" area district, the
erection and maintenance of a fire
tower in a required rear yard; prem-
ises 213-217 East 37th street, north
side, 180 ft. east of Third avenue
(Block No. 918, Lot Nos. 10, 11 and
12), Borough of Manhattan.

CAL. NO. 1199-39-BZ—Application, September 29, 1939, under
section 21 of the building zone resolu-
tion, of Emil Koepfel, applicant, on
behalf of Alfonso Furibondo, owner, to
permit in a business use district, the
extension of a garage for more than
five (5) motor vehicles; premises 385
Douglass street, north side, 290 ft. west
of Fifth avenue (Block No. 943, Lot
Nos. 59 and 60), Borough of Brook-
lyn.

CAL. NO. 1293-39-BZ—Application, October 18, 1939, under
section 7h of the building zone resolu-
tion, of Murray Klein, applicant, on be-
half of A. L. M. Development Corpora-
tion, owner (Jack Koenig, lessee), to
permit in a business use district, for a
temporary period of not more than two
(2) years, the parking and storage of
more than five (5) motor vehicles;
premises 1401-1407 Avenue "M", north-
east corner of East 14th street, and
1402-1406 Chestnut avenue (Block No.
6735, Lot No. 121), Borough of Brook-
lyn.

CAL. NO. 1423-39-BZ—Application, November 17, 1939, under
section 21 of the building zone resolu-
tion, of Lama and Proskauer, appli-

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cants, on behalf of Estate of Esther M. Kornblum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2102-2124 Avenue "Z", southeast corner of East 21st street (Block No. 7441, Lot No. 371), Borough of Brooklyn.

CAL. NO. 1051-39-BZ—Application, August 18, 1939, under section 21 of the building zone resolution, of Joseph Villano, applicant, on behalf of Joseph Villano and Sabbatina Villano, owners, to permit in a residence use district, the maintenance of ten (10) individual garages not an accessory use to a dwelling on the same plot; premises 2415 Wallace avenue, west side, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx.

CAL. NO. 562-37-BZ—Application of Frank G. Burger, applicant, on behalf of Foggin-Burger Land Company, Inc., owner, reopened December 5, 1939, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the extension of an existing business building and, also, the parking of more than five (5) motor vehicles; premises 1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

CAL. NO. 1286-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

CAL. NO. 1287-39-BZ-WF—Application, October 17, 1939, under section 21 of the building zone resolution, of Benjamin Driesler, Jr., applicant, on behalf of Farmers Estates Corporation, owner, to permit in a business use district, the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th

street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1533-39-A—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851, Lot No. 51), Glendale, Borough of Queens.

1473-39-A—Re transportation and sale of gasoline in Tank Trucks (not of approved type) in New York City.

13-40-A—112-23 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens.

125-40-A—59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn.

1475-39-A—234 East 54th street, west side, 260 ft. south of Linden boulevard (Block No. 4679, Lot No. 19), Borough of Brooklyn.

1506-39-A—44-14 Astoria boulevard south, southwest corner of 45th street (Block No. 717, Lot Nos. 29 and 34), Long Island City, Borough of Queens.

33-40-A—3008-3010 Church avenue, south side, 85 ft. 2 3/4 in. east of Nostrand avenue (Block No. 4884, Lot No. 1), Borough of Brooklyn.

26-40-A—545 West 20th street and 120-126 Eleventh avenue, northeast corner (Block No. 692, Lot No. 7), Borough of Manhattan.

51-40-A—102 East 30th street, south side, 60 ft. east of

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Fourth avenue (Block No. 885, Lot No. 87), Borough of Manhattan.

134-40-A—203 West 67th street, north side, 75 ft. west of Amsterdam avenue (Block No. 1159, Lot No. 28½), Borough of Manhattan.

1531-39-A—390-408 Morgan avenue and 370-416 Jackson street, southeast corner (Block No. 2887, Lot No. 1), Borough of Brooklyn.

90-40-A—498-500 Atlantic avenue, south side, 225 ft. west of Third avenue (Block No. 185, Lot No. 16), Borough of Brooklyn.

131-40-A—437 Columbia street, east side, 20 ft. north of West 9th street (Block No. 534, Lot No. 2), Borough of Brooklyn.

149-40-A—1464-1488 Linden boulevard, south side, 262 ft. 2 in. east of Rockaway avenue (Block No. 3644, part of Lot No. 26), Borough of Brooklyn.

1487-39-A—Southeast corner of Fernside place and Edgemere avenue (Wavecrest Convalescent Home—re Beeman, Cheever and Brinckhoff Houses), (Block No. 266, Lot No. 20), Far Rockaway, Borough of Queens.

73-40-A—58-13, 58-17, 58-21, 58-25, 58-29, 58-33, 58-37, 58-41, 58-45 and 58-49 187th street, east side, 100 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Jamaica, Borough of Queens.

74-40-A—58-14, 58-18, 58-22, 58-26, 58-30, 58-34, 58-38, 58-42, 58-46 and 58-50 187th street, west side, 100 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Jamaica, Borough of Queens.

45-40-A-WF—103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens.

35-40-A—154-31 233rd street, east side, 150 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens.

36-40-A—154-36 233rd street, west side, 101.18 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens.

15-40-A—76-59 263rd street, northeast corner of 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive), Creedmore, Borough of Queens (Hillside Hospital).

Variation of the Labor Law.

72-40-S—231 Mercer street, west side, 175 ft. south of West 3rd street (Block No. 533, Lot No. 23), Borough of Manhattan.

FEBRUARY 20, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 20, 1940, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 546-39-BZ—Application, May 2, 1939, under section 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Krikwen Realty Company, Inc., owner (Gulf Oil Corporation, lessee), to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage; premises 213-223 East 125th street, north side, 135 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan.

CAL. NO. 212-36-BZ—Application of Charles H. Bellows, applicant, on behalf of Estate of John E. Miller, owner (Joseph Rossi, lessee), reopened October 3, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board); premises 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 20, 1939, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station (previously withdrawn); premises 139-21 Springfield boulevard.

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northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

Queens (Under Section 35, General City Law, re: Bed of Mapped Street).

CAL. NO. 1154-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Oscar J. Haig, applicant, on behalf of Rosa Lanza, William R. Close and Lavinia Close, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a multiple dwelling; premises east side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue, and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 92-36-BZ—Application of Hirsh, Newman, Reass and Becker, applicants, on behalf of Consolidated Biological Products, Inc., owner, reopened July 5, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board); premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 20, 1940, 2 P. M.

Appeals from Administrative Decisions.

1312-39-A—East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (Block No. 3381, Lot No. 41), St. Albans, Borough of

161-40-A—3-9 West 34th street, north side, 150 ft. west of Fifth avenue, and 4-16 West 35th street (Block No. 836, Lot No. 26), Borough of Manhattan.

136-40-A—875-877 Fifth avenue and 2-4 East 69th street, southeast corner (Block No. 1383, Lot Nos. 69 to 72, inclusive), Borough of Manhattan.

186-40-A—9277-9289 Shore road and 1-29 93rd street, northeast corner (Block No. 6100, Lot No. 1), Borough of Brooklyn.

FEBRUARY 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, February 23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

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CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 1356-39-BZ—Application, November 1, 1939, under section 21 of the building zone resolution, of Samuel Falk, applicant, on be-

half of Willess Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.

CAL. NO. 190-19-BZ—Application of Interborough Engineering Company, applicant, on behalf of Joseph Lau, owner (Lau Motors, lessee), reopened May 9, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn.

CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brightwater court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 1175-39-BZ—Application, September 25, 1939, under section 7h of the building zone resolution, of Abraham J. Halprin, applicant, on behalf of Sears Roebuck & Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast cor-

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ner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

No. 1718, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1362-39-BZ—Application, November 6, 1939, under sections 7h and 21 of the building zone resolution, of Charles W. Van Keuren, applicant, on behalf of Norma McCormack, owner (Joseph McLaughlin and Isidore Paley, lessees) to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 69 and 73), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 120-39-BZ—Application, February 2, 1939, under section 21 of the building zone resolution, of Charles Hofmann, applicant and lessee, on behalf of Cecelia Hofmann, owner, to permit in a business use district, the maintenance of a motor vehicle repair shop in part of an existing building; premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond.

CAL. NO. 105-40-BZ—Application, January 29, 1940, under section 21 of the building zone resolution, of William Wilson Carpet Cleaning Service, Inc., applicant, on behalf of 650 Tiffany Street Corporation, owner, to permit in a business use district, the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage, and garage for five (5) motor vehicles; premises 650 Tiffany Street, east side, 350 ft. north of Randall avenue (Block No. 2765A, Lot No. 123), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 2 P. M.

Appeals from Administrative Decisions.

187-40-A—44-62 Nostrand avenue, west side, 232 ft. 5 in. south of Flushing avenue. 502-508 Flushing avenue and 1-41 Sandford street (Block

62-40-A—9 Second avenue, west side, 70 ft. south of East First street (Block No. 456, Lot No. 7), Borough of Manhattan.

184-40-A—49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan.

191-40-A—148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan.

202-40-A—25-53 West 48th street, north side, and 26-52 West 49th street, south side, 237 ft. 7½ in. east of Sixth avenue (Block No. 1264, Lot No. 10), Borough of Manhattan.

188-40-A—Northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond.

117-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

118-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

120-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

Variations of the Labor Law.

119-40-S—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

121-40-S—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

MARCH 5, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 5, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the follownig matters:*

CAL. NO. 735-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Horace Ginsbern, applicant, on behalf of 179 Seventh Avenue Company, Inc.,

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owner, to permit partly in a retail use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160 West 21st street, south side, 85 ft. east of Seventh avenue and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 1446-39-BZ—Application, November 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Suburban Holding Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis (Cross Island) boulevard and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a

business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 5, 1940, 2 P. M.

Appeal from Administrative Decision.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

MARCH 8, 1940, 10 A. M.

Material Submitted for Approval

830-39-SM-NYK-A and NYK-B One-Hour Metal-Covered Fire Doors, approval of.

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th

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street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 12, 1940, 2 P. M.

Appeal from Administrative Decision.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

MARCH 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 328-39-BZ—Application, March 15, 1939, under section 7h of the building zone resolution, of Joseph Sliva, applicant and lessee, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 1307-39-BZ—Application originally filed October 24, 1939, amended application, March

6, 1940, under section 21 of the building zone resolution, of Joseph J. Furman, applicant, on behalf of Peter Schmuck and 346 West 44th Street Realty Corporation, owners, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and, also, the omission of the required rear yard (amended as to application for use of part of premises for parking and storage of more than five (5) motor vehicles); premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 55), Borough of Manhattan.

CAL. NO. 1322-39-BZ—Application, October 26, 1939, under section 7h of the building zone resolution, of William I. Hohauser, applicant, on behalf of Clinton Estates, Inc., to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

CAL. NO. 1463-39-BZ—Application, November 30, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Temple Gates of Prayer (also known as Congregation Shaari Tefilla), owner, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities; premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

CAL. NO. 1468-39-BZ—Application, December 2, 1939, under sections 7a and 7e of the building zone resolution, of Harry B. Lindberg, applicant, on behalf of Borden's Farm Products Division of The Borden Company, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

CAL. NO. 1236-39-BZ—Application, October 10, 1939, under section 7h of the building zone resolution, of Robert J. Reilev and Charles C. Reiley, applicants and owners (Otto A. Bradman and John Resto, lessees), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street

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(Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

CAL. NO. 1426-39-BZ—Application, November 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Leon G. Wertheimer, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 331 Morris Park avenue, northeast corner of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

APRIL 9, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, appli-

cant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

APRIL 16, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, FEBRUARY 6, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, January 9, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, January 9, 1940, were approved as printed in Bulletin No. 3, Vol. 25.

BUILDING ZONE CASES

92-36-BZ.

APPLICANT—Hirsh, Newman, Reass and Becker, for Consolidated Biological Products, Inc., owner.

SUBJECT—Application reopened July 5, 1939 (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the

parking of more than five (5) motor vehicles (previously acted upon and granted by the Board).

PREMISES AFFECTED—109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: David J. Brown and Philip Freshman.

For Opposition: Norman B. Steinberg and Phillips S. Tranbath.

ACTION OF BOARD—Laid over to February 20, 1940, 10 A.M., for further consideration by the Board.

188-39-BZ.

APPLICANT—H. B. Pickering, for The Nicholls Holding Co., Inc., owner (The R. M. B. Holding Corporation, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit partly in a busi-

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ness use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—204-208 East 45th street, north side, 80 ft. east of Third avenue, 209-211 East 44th street, and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Levy.

For Opposition: None.

ACTION OF BOARD—Laid over to February 20, 1940, 10 A.M., on request of applicant.

1392-39-BZ.

APPLICANT—Alfred A. Tearle, for 870 Eighth Avenue Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Not Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle and F. A. Donnelly.

For Opposition: Harry Greenberg.

ACTION OF BOARD—Laid over to February 14, 1940, at 10 A.M., to give applicant an opportunity to have stipulation signed by Corporation Counsel.

534-39-BZ.

APPLICANT—Lama and Proskauer, for Emil Lazansky, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner, (Block No. 3237, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

872-39-BZ.

APPLICANT—Theodore R. Feinberg, for Berk Bres Realty Corp., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a gasoline service station.

PREMISES AFFECTED—7001-7019 Bay Parkway, south-

west corner of West 10th street, and 1-21 Avenue "O" (Block No. 6574, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore R. Feinberg and Hyman Apple.

For Opposition: Murray Rosen.

ACTION OF BOARD—Application withdrawn without argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

675-22-BZ.

APPLICANT—Otto A. Staudt, for Hermann Stursberg Realty Company, owner.

SUBJECT—Application reopened January 3, 1940, for consideration as to amendment of resolution (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system.

PREMISES AFFECTED—250-272 Willis avenue, east side, between East 138th street and East 139th street, and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Otto A. Staudt and Robert Teichman.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(675-22-BZ)

WHEREAS, this application to permit the extension from a business use district 25 ft. into a residence use district, of a proposed theatre and business building; premises: 250 to 272 Willis avenue and 407 to 419 East 138th street, (Block No. 2283, Lot No. 1), Borough of The Bronx, was granted by the Board July 5, 1922, under certain conditions; and

WHEREAS, Robert Teichman and Otto A. Staudt, for Hermann Stursberg Realty Company, owner, requested a reopening of the case under section 21 of the building zone resolution, to permit the extension of the motion picture theatre and business building, by the erection of a structure to be used for housing a cooling system; and

WHEREAS, this application was reopened by vote of the Board January 3, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Willis avenue is in a business and retail use district; East 138th street is in a business and unrestricted use district; East 139th street is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent on Application No. 805-1939, dated November 17, 1939, reads:

"1. Proposed extension of the theatre and business building into a residence district is contrary to Sec. 3 of the Building Zone resolution and Resolution 675-22-BZ of the Board of Standards and Appeals."

and

WHEREAS, the premises consist of an irregular shaped plot

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of ground having a frontage of 200 ft. on East 138th street, 200 ft. on Willis avenue and 70 ft. on East 139th street, occupied as a motion picture theatre, stores, offices and dance hall (previously granted by the Board). It is proposed to construct in the northerly court a one story structure, 13 ft. 10 in. by 32 ft. 6 in. in area, to house the cooling and air conditioning unit for the theatre.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on July 5, 1922, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition*, that any entrance for theatrical use shall be confined to the business portion of the block on 139th street; that no show bills, signs or advertisements of any kind or description shall be displayed on the exterior of the theatre in the residence use district";

"Resolved, further, that in the event the owner desires to construct a fireproof enclosure at the rear of the court toward the east, as indicated on plans marked received 'December 31, 1939', for the purpose of housing air-conditioning equipment, such extension may be permitted, provided such construction is fireproof throughout and that all openings into the theatre at such extension shall be bricked up and may dressing rooms under the stage shall be entirely eliminated; that the width of the court to East 139th street shall otherwise comply with legal requirements; that in all other respects all laws, rules and regulations applicable to the construction and occupancy of this building shall be complied with; that all permits required shall be obtained and all work completed within one year from the date of this resolution."

624-38-BZ.

APPLICANT—Henry Nordheim, for Arthur J. Largy, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—3335 Hull avenue, west side, 407 ft. south of Gun Hill road (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Eileen Largy and James J. Donovan.

For Opposition: George Humann.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(624-38-BZ)

WHEREAS, Henry Nordheim, for Arthur J. Largy, owner, filed on July 14, 1938, an application under the building zone resolution, to permit in a residence use district for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises: 3335 Hull avenue, west side, 407 ft. south of Gun Hill road, (Block No. 3348, Lot Nos. 66 and 70), Borough of The Bronx; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hull and Perry avenues are in residence and business use districts; East 209th street is in a residence use district, and Gun Hill road is in a business use district; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

ing, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, dated July 12, 1938, and as amended July 31, 1939, reads: .

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than three (3) motor vehicles at the above premises, is denied, as the premises are located in a Residence District, as established by the Amended Building Zone Resolution, where such occupancy is unlawful."

and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 92 ft. on Hull avenue and a distance of 100 ft. along the north lot line. Upon the plot there is located a 2½ story frame dwelling, 20 ft. 6 in. by 48 ft. in area, and also a 2-car accessory garage. It is proposed to occupy the remainder of the plot for a temporary period of not more than two (2) years, for the parking and storage of more than three (3) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant has substantiated a temporary basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, for a term of two (2) years, to permit a portion of the plot as indicated, to be occupied for the parking and storage of automobiles *on condition*, that only those of the pleasure car type shall be parked or stored thereon; that during the term of this permit the plot shall be used for no other use other than the residential use thereon, and the parking and storage herein permitted; that the existing fence and general character of the premises shall be maintained and not more than 15 cars shall be stored on the premises in the open and in the existing garage; that no signs shall be erected on the premises advertising the parking use; that no lights for general illumination shall be maintained; that such portable fire-fighting appliances shall be installed and maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

702-38-BZ.

APPLICANT—Herman Kron, for Holy Name Mission of the Bowery District, Inc., and Second Street Holding Company, Inc., owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—7-19 East Second street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13-19), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Charles L. Fleece.

For Opposition: Paul P. Meltzer, Irving Langfelder, Nat J. Glotzer, Harry C. Peshkin and Bratislav Zoumich.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

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THE RESOLUTION—

(702-38-BZ)

WHEREAS, Hermon Kron, for Holy Name Mission of the Bowery District, Inc., and 2nd Street Holding Company, Inc., owner, filed August 8, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises: 7-19 East Second street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13-19, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bowery is in an unrestricted use district; that East 1st and 2nd streets are in business and unrestricted use districts; that 2nd avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated July 27, 1938, reads:

"Answering your letter of July 25, 1938, requesting a denial for the parking and storage of more than 5 motor vehicles at the above premises so that the matter may be appealed within thirty (30) days and explaining that the thirty (30) day requirement has expired since our denial of June 21, 1938, you are advised that this department has no authority to extend such time. Therefore, the denial of June 21, 1938, is herewith repeated:

"Your application for a certificate of occupancy for the storage and parking of more than five motor vehicles at the above premises has been denied, as the premises are located in a business use district and this occupancy is prohibited by Article 2, Section 4a, subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 140 ft., a distance of 70 ft. along the east lot line, and 41 ft. along the west lot line. A small area at the west portion of the plot is located in the unrestricted use district. It is proposed to occupy the site, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7h thereof, to permit the parking and storage of more than five (5) motor vehicles, on condition, that only motor vehicles of the pleasure-car type shall be so stored or parked; that the premises shall be levelled substantially to the grade of East 2nd street and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot lines where walls of adjoining buildings do not occur, and on the street building line, a substantial woven wire fence with steel posts, such fence to be not less than 6 feet high; that any entrance to the premises shall be from East 2nd street and shall not exceed 20 feet in width; that there shall be no entrance to Extra place; that during the term of his permit, the premises shall be used for no other use than that herein permitted; that no building shall be erected on the premises; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that there shall be no signs erected, except there may be a sign erected attached to the fence at the entrance advertising the parking and

storage use, provided such sign does not extend beyond the building line, and does not exceed 15 square feet in area; that the plot at all times shall be maintained in a neat condition and no rubbish shall be permitted to accumulate; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

433-39-BZ.

APPLICANT—Bernard Shatzkin, for Maribert Realty Corporation and Lever and Sidway, Inc., owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—225 Nagle avenue, southeast corner of Academy street, block bounded by Academy street, Nagle avenue, Tenth avenue and West 204th street (Block No. 2216, Lot Nos. 1, 7, 11, 15, 24, 27 and 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard Shatzkin, John M. Parvin and Alfred A. Lama.

For Opposition: Arthur Werner and Abraham Norwood.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(433-39-BZ)

WHEREAS, Bernard Shatzkin, for Maribert Realty Corp., and Lever and Sidway, Inc., owners, filed on April 4, 1939, an application under the building zone resolution, to permit partly in a business use and partly in an unrestricted use district, the parking and storage of more than five (5) motor vehicles; premises: 225 Nagle avenue, southeast corner of Academy street, block bounded by Academy street, Nagle avenue, 10th avenue and West 204th street, (Block No. 2216, Lot Nos. 1, 7, 11, 15, 24, 27 and 42), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building building zone resolution show that Academy street and Tenth avenue are in unrestricted and business use districts; that Nagle avenue is in a business use district; that West 204th street is in a business and residential use district; and

WHEREAS, the decision of the borough superintendent (re application for Certificate of Occupancy), dated March 27, 1939, and as amended January 24, 1940, reads:

"Your application for Certificate of Occupancy for the use of the above premises as a parking and storage space for more than five (5) motor vehicles and the sale of used cars has been denied as the premises are located in a business district where this occupancy is prohibited by Article 2, Sec. 4 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground, having a frontage of 126 ft. on West 204th street, 610 ft. on Tenth avenue, 476 ft. on Academy street, and 500 ft. on Nagle avenue. The Nagle avenue and the West 204th street frontage of the plot (for a depth of 100 ft.), is located in a business use district, the remainder of the plot is located in an unrestricted use district. It is proposed by the applicant to occupy the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles and also, for the sale of used cars; and

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WHEREAS, these premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution,

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof, to permit that portion of the plot under appeal, which is within the area zoned for business use, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition*, that only motor vehicles of the passenger-car type shall be so stored and parked; that that portion of the plot shall be levelled substantially to the grade of surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the street building lines within the area zoned for business use, a substantial woven wire fence with steel uprights, not less than 6 feet in height; that on the balance of the plot within the unrestricted area a substantial closure fence shall be maintained at all times; that the entrance to this plot shall be restricted solely to Academy street with not more than one such entrance within the business use portion; that entrances within the unrestricted area may be as determined by the borough superintendent; that during the term of this permit the area covered by this application shall be used for no other use than that permitted herein; that there shall be no automobile repairing or sale of used cars, and no building shall be erected thereon and no extension of the unrestricted uses into the business use area; that there shall be no signs erected, except there may be a sign at the entrance, advertising the storage and parking use, provided such sign does not extend beyond the building line and does not exceed 15 square feet in area; that proper aisles shall be maintained at all times for easy ingress and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that any lights constructed for general illumination shall be on pipe post standards with metal reflectors so arranged as to reflect toward the center of the premises; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

517-39-BZ.

APPLICANT—Thomas I. Sheridan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles, for a temporary period of not more than two (2) years.

PREMISES AFFECTED—33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive, and 30), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Thomas I. Sheridan.

For Opposition: Angelo M. Ferri.

For Administration: Harold Klorfein, Park Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(517-39-BZ)

WHEREAS, Thomas I. Sheridan, owner, filed April 25, 1939, an application under sections 7h and 21 of the building zone resolution, to permit partly in a residence use and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years, affecting premises: 33-02 to 33-16 Astoria boulevard, south side, from 33rd street to 34th street, and southwest corner of 34th street and Astoria boulevard, and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive, and 30), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria boulevard is in a business use district; that 33rd and 34th streets are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 5067-39, dated April 4, 1939, and as amended June 26, 1939, reads:

"The use of these premises for a gasoline selling station, lubritorium, auto washing and the parking and storage of more than five motor vehicles is in a business district and extending into a residence district is contrary to Art. 2, section 3 and 4, subdivisions 15 and 46, of the Building Zone Resolution.

Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 207 ft. on Astoria boulevard, 111.2 ft. on 34th street and 265 ft. on 33rd street. The Astoria boulevard frontage of the plot for a depth of 100 ft. is located in a business use district and the remainder of the plot is located in a residence use district. It is proposed to erect upon the Astoria boulevard frontage of the plot a one-story building 59 ft. by 27 ft. in area, and also, the necessary tanks and pumps for a gasoline service station, and to use the remainder of the plot, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant withdrew that portion of his application for a variation under section 21 to permit a gasoline service station; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, to permit that portion of the premises within the area zoned for business use to be occupied for the parking and storage of automobiles, *on condition*, that only automobiles of the pleasure car type shall be so parked or stored; that the plot shall be levelled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that during the term of this permit there shall be no other uses other than the parking and storage herein permitted, and no additional building erected on the premises; that there shall be erected on the lot lines and on the line separating the business use area from the residence use area, a substantial woven wire fence not less than 6 ft. in height, supported by steel posts, except for entrances which shall not exceed one (1) from 33rd street, two (2) from Astoria boulevard and one (1) from 34th street; that these entrances

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shall not exceed 20 ft. in width; that curb cuts opposite shall not exceed such width; that proper aisles shall be maintained at all times for ready ingress and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no signs shall be erected on the premises other than a sign at each entrance, advertising the parking and storage use, provided such signs do not exceed 15 sq. ft. in area and do not extend beyond the building line; that any lights for general illumination shall be on pipe standards with metal reflectors so arranged as to reflect away from the adjoining residential occupancies; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

628-39-BZ.

APPLICANT—Henry Nordheim, for Gertrude Mossbacker and The Danmar Corporation, owners (Featherbed Lane Auto Servicenter, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Harry T. F. Johnson and William Evers.

For Opposition: Milton Kleinman, George W. Zahn, Herbert Rosenberg, Charles S. Horgan, Jr., Harry Kaplan, Mrs. Lillie Bernstein, Joseph De Iono, Leon E. Chernis, Joseph J. Blake and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(628-39-BZ)

WHEREAS, Henry Nordheim (Featherbed Lane Auto Servicenter, lessee), for Gertrude Mossbacker and The Danmar Corporation, owners, filed May 16, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises 140-150 Featherbed lane and 1535 Plimpton avenue, southwest corner, and 1550-1564 University avenue, (Block No. 2875, Lot Nos. 51 and 56), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Plimpton avenue is in a residence and business use district; University avenue is in a business and residence use district; Featherbed lane and West 172nd street are in business use districts; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 464-1938, reads:

"2. Extension to existing gasoline service station is contrary to Art. 2, Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 158 ft. 7 in. on Plimpton avenue, 171.26 ft. along Featherbed lane and 30 ft. along University avenue. The Plimpton avenue frontage of the plot extends for a distance of approximately 58 ft. into the residence use district and the remainder of the plot is in a business use district. Upon the northerly portion of the

plot there is located a one-story structure occupied as stores. The southerly portion of this building (facing on Featherbed lane) is occupied as a gasoline service station. It is proposed to occupy the site as a car show room, office, lubricatorium structure, gasoline service station, and an open area for the display and sale of used cars; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

767-39-BZ.

APPLICANT—Judson E. Schnall, for Philip Levison and Estate of Benjamin Anchell, owners (Thomas Kallenbach, lessee).

SUBJECT—Application reopened and restored to calendar January 3, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop (previously dismissed for lack of prosecution).

PREMISES AFFECTED—335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: James Sheehan, Max H. Newman and Thomas Kallenbach.

For Opposition: Victor Maillard, Marguerite Granner, Kunguade Goetz, Mrs. A. Dittman, William Pries and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Savage and Assistant Chief Walsh	3
Negative: Commissioner Blum	1

THE RESOLUTION—

(767-39-BZ)

WHEREAS, Judson E. Schnall (Thomas Kallenbach, lessee), for Estate of Benjamin Anchell and Philip Levison, owners, filed June 9, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas avenue and Palmetto street are in business and unrestricted use districts; Gates avenue is in a business, residence and unrestricted use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 1002-39, dated May 12, 1939, reads:

"1. Proposed use of premises as an automobile repair shop in a business district is contrary to Sec. 4 of the Building Zone Resolution.

Application not further considered."

and

WHEREAS, the existing building is of frame construction, one story in height, 21 ft. frontage by 50 ft., irregular in area. It is proposed to alter the present frame building, by the removal and relocation of walls as shown upon the filed plans, and to convert the occupancy of the building from a

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store to a motor vehicle repair shop and store, and to extend the repair shop over the portion of the lot now used as an alley; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, to permit the rear portion of the premises to be occupied for motor vehicle repairing, *on condition* that such repairing shall be limited to electrical work in connection with passenger motor vehicles; that the building to be erected in the rear replacing the existing frame building shall be of fireproof construction throughout, except that the doors at the St. Nicholas avenue building line may be of wood; that there shall be no windows constructed in the walls on the interior lot lines; that any skylight constructed shall not be nearer than 20 feet from the rear lot line; that the walls separating the proposed repair shop from the existing store shall be constructed of incombustible materials, and that the door separating such repair shop shall be a fireproof door; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

877-39-BZ.

APPLICANT—Sidney H. Kitzler, for Max Kahn, owner (Family Laundry Service, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7a of the building zone resolution, to permit in a residence use district, the erection and maintenance of a pit for a pre-heating water coil used in conjunction with the existing laundry on the premises and, also, the maintenance of an existing frame shed.

PREMISES AFFECTED — 1059-1063 63rd street, north side, 140 ft. west of Eleventh avenue, and 1062-1064 62nd street (Block No. 5730, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and Herman Kahn.

For Opposition: Adelaide M. Seel, Mrs. Sormani, Miss J. Savasta, Mary De Stefano, Rose Gioscia, Tessie Capaldi and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(877-39-BZ)

WHEREAS, Sidney H. Kitzler (Family Laundry Service, Inc., lessee), for Max Kahn, owner, filed June 29, 1939, an application, under section 7a of the building zone resolution, to permit in a residence district, the erection and maintenance of a pit for a pre-heating water coil used in conjunction with the existing laundry on the premises, and also, the maintenance of an existing frame shed, premises: 1059-1063 63rd street, north side, 140 ft. west of Eleventh avenue, and 1062-1064 62nd street (Block No. 5730, Lot No. 32), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 63rd street is in a residence and business use district; that 62nd street is in a business use

district; that Tenth and Eleventh avenues are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent on B.N. Applic. No. 2264-39, dated June 12, 1939, reads:

"1. Proposed pit to be used in conjunction with present laundry and to be located in a residence use district is contrary to Art. II, Sect. 3 of the Zone Resolution.

2. Legality of existing frame shed in a residence zone and erected without a permit is contrary to Art. II, Sect. 3 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 110 ft. on 63rd street, 40 ft. on 62nd street, and a depth of 200 ft. The southerly part of the plot is in a residence use district, and the northerly part of the plot is in a business use district, now occupied as a steam laundry. The structures thereon consist of a one and two-story brick steam laundry (on 63rd street), a boiler room, a two-story laundry and storage building which has a frontage of 20 ft. on 63rd street and a depth of 42 ft., and also an open sheet metal shed 40 ft. by 30 ft. in area, (on 63rd street front of the plot). It is proposed to install in this shed a concrete pit, approximately 45 ft. by 8 ft. by 9 ft. and to install therein a pre-heating water coil to be used in conjunction with the laundry; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, in the opinion of the Board, the existing laundry use and buildings are legally non-conforming within the residence use area except for the temporary shed and pit constructed without permits therefore, but that such uses should not be extended or invade the residential street, by sorting, receiving or delivering of laundry or supplies; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, on condition that the building shall not be increased in height or area; that no trucking or deliveries or receiving of goods shall take place on 63rd street; that the temporary shed shall be repaired but not reconstructed; that no sorting of laundry shall take place outside of the building; that the pit may be continued, *on condition* that the drainage into the sewer therefrom meets all the requirements of the law; that no signs shall be erected within the residential district; that all permits shall be obtained and that all work completed within six (6) months from the date of this resolution.

1204-39-BZ.

APPLICANT—Edward J. Hurley, for Chiara Catella, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to 4225 Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward R. K. Fiencke.

For Opposition: Nathan Weissberg and Milton Kleinman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

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THE RESOLUTION—

(1204-39-BZ)

WHEREAS, Edward J. Hurley, for Chiara Catella, owner, filed September 29, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, premises: 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to Peters place (Block 3395, Lot Nos. 60 and 97), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Webster avenue is in business, residence and unrestricted use districts; Bronx River parkway is in a residence use district; Peters place is in business and unrestricted use districts; East 234th street is in a business use district, and that East 233rd street is in business, unrestricted and residence use districts; and

WHEREAS, the decision of the borough superintendent on Applic. No. 766-1939, dated August 31, 1939, reads:

"1. The proposed erection of a gasoline service station in a business use district is contrary to Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 76 ft. 2 in. on Webster avenue, 75 ft. on Peters place and a distance of 161 ft. 6 in. along the north lot line, formerly occupied as a monument works. It is proposed to erect upon the westerly portion of the plot a one-story building, 75 ft. by 30 ft. in area, to be used as office and showroom, lubritorium and auto laundry, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding areas were inspected by a committee of the Board, prior to the hearing; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 21 thereof, to permit the premises under appeal to be occupied as a gasoline service station, on condition, that the proposed building and the premises shall be arranged substantially as indicated on plans filed with this appeal; that the accessory building shall be toward the rear, and the pump islands located as indicated; that there shall be erected on the interior lot lines to the north and south brick walls not less than 7 ft. in height, continuously to Webster avenue, except that for a distance of 10 ft. from Webster avenue such walls may be 4 ft. in height; that the plot, where not occupied by accessory building and walls, shall be cement paved; that the entrances from Webster avenue shall not exceed two (2), each not over 20 ft. in width (with no part of any opening nearer than 5 ft. to the side lot line as extended; that between such entrances there shall be a wall constructed on the property line, not less than 2 ft. in height with planting for a depth of not less than 5 ft.; that no signs shall be erected on the premises, except for a permanent sign attached to the accessory building, and the illuminated globes of the pumps, excluding all roof signs and all temporary signs, but also permitting the erection within the building line along Webster avenue of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than 4 ft.; that during the term of this permit the premises shall be used for no other use than as permitted herein, including the washing and greasing of cars; that there shall be no roof constructed over the gasoline selling area; that no automobile repairing shall

be carried on and no parking or storage of cars other than those being serviced; that complete plans shall be submitted for approval as complying with the resolution, prior to filing with the borough superintendent; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1256-39-BZ.

APPLICANT—Lama and Proskauer, for Morris Rosen, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1256-39-BZ)

WHEREAS, Lama and Proskauer, for Morris Rosen, owner, filed on October 11, 1939, an application under the building zone resolution, to permit in a business use district the extension of an accessory building on an existing gasoline service station; premises: 129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 101st (Jerome) avenue is in a business use district; 97th avenue is in a residence use district; 129th and 130th streets are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 6611-39, dated October 11, 1939, reads:

"2. To extend a prohibited use in a business district is contrary to section 6 of the B. Z. R."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 125 ft. on 101st avenue and 100 ft. on 129th street, and occupied as a gasoline service station; it is proposed to remove the metal accessory building now on the site and to erect thereon a one-story non-fireproof accessory building, 42 ft. 9 in. by 27 ft. 4 in. in area, to be used as a lubritorium, office and boilerroom; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 7, subdivision c. of the building zone resolution and was, therefore, entitled to relief, to permit the reconstruction and rearrangement as proposed.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7c thereof, to permit the reconstruction and rearrangement of the existing gasoline service station, on condition that the area shall not be extended beyond the existing area of 125 ft. frontage on 101st avenue and 100 ft. depth on 129th street; that the existing accessory buildings shall be removed, and new accessory buildings shall be constructed toward the

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northerly central portion of the plot, located substantially as indicated on revised plans marked "received February 1, 1940"; that this accessory building shall not exceed one (1) story in height and shall be constructed of incombustible materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the heating room shall be separated from the balance of the building by fireproof construction, and enterable only from the exterior of the building; that the lubricatory shall be equipped only with hydraulic lifts; that on the interior lot lines to the east, north and west, for a distance of 40 ft. there shall be erected a substantial heavy woven wire or picket fence; that the northerly portion of the plot from 129th street to the easterly lot line and at the rear of accessory building, shall be maintained with suitable landscaping for the area as indicated on plan marked "received February 1, 1940", and that such areas shall be protected by a substantial concrete curbing; that the balance of the plot, where not occupied by such landscaping and accessory building, shall be surfaced with cement, colprovia, or bound crushed blue stone or other suitable impervious material; that any pumps existing on the premises shall be removed and no pumps shall be erected nearer than 15 ft. to any street building line; that existing curbs on 101st avenue shall be rearranged so as not to exceed those indicated on plan marked "received February 1, 1940"; that after installing such new curb cuts the curb shall be restored between such cuts; that along 129th street there shall be not over one opening not over 25 ft. in width, and not nearer than 10 ft. to the corner formed by the intersection of 101st avenue and 129th street; that until curbs are installed on this street, this portion of the resolution need not be complied with; that there shall be erected on the building line at the intersection of 101st avenue and 129th street, a concrete curbing not less than 5 ft. from the intersection in either direction; that this curbing shall be in the form of a solid triangle; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line near the intersection of 101st avenue and 129th street of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale; that this plot shall be used for no other purpose than as herein permitted; that no motor vehicle repairing shall be carried on and no parking of cars other than those being serviced; that lights for general illumination shall be on pipe standards, equipped with metal reflectors and so arranged as to reflect toward the center of the premises and away from the adjoining residential occupancies; that complete working drawings shall be filed for approval in accordance with the requirements of this resolution, before same are filed with the borough superintendent of buildings; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1332-39-BZ.

APPLICANT—Herman Kron, for Emigrant Industrial Savings Bank, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—30-32 Willett street, southeast corner of Delancey (Marginal) street (Block No. 337, Lot Nos. 38, 40 and 41), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Dudley J. Hanley, H. Salkowitz, Isidore Cohen, Samuel Wash-ton and Charles P. J. Riordan.

For Opposition: Sammel Schlan, Max Lapshinsky, Daniel C. Davis and Fanny Goldberg.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(1332-39-BZ)

WHEREAS, Herman Kron, for Emigrant Industrial Savings Bank, owner, filed October 27, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 30-32 Willett street, southeast corner of Delancey street (Marginal street), (Block No. 337, Lot Nos. 38, 40 and 41), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Delancey (Marginal) street is in business, unrestricted and retail use districts; that Willett and Sheriff streets are in business and residence use districts; that Broome street is in residence, retail and business use districts; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 193-39, dated October 18, 1939, reads:

"1. The proposed construction of garage for more than five motor vehicles, in a business district, is contrary to Article 2, Section 4, Subdivision 5 of the Building Zone Resolution."

and

WHEREAS, the proposed building is of non-fireproof construction, one story in height, with a frontage of 62 ft. 6 in. on Willett street and 100 ft. on Delancey street; it is proposed to occupy the building as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed and that the application be and it hereby is denied.

1421-39-BZ.

APPLICANT -- John McBride (lessee), for Fordbrad Realty Company, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 90-02 Northern boulevard, south side, between 90th and 91st streets (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Muss and John McBride.
For Opposition: Benjamin Gollay and James J. Cotter.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

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THE RESOLUTION—

(1421-39-BZ)

WHEREAS, John McBride (lessee), for Fordbrad Realty Company, Inc., owner, filed November 17, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises: 90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1478 part of Lot No. 1), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; that 34th avenue is in a residence use district; that 90th and 91st streets are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 8288-39, dated November 17, 1939, reads:

"The use of these premises for the storage and parking of more than five motor vehicles in a business district is contrary to Art. 2, Section 4a, subdivision 15, of the Building Zone Resolution.

Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Northern boulevard, 100 ft. on 90th street and 100 ft. on 91st street; it is proposed to occupy the plot, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the site and area were inspected by a committee of the Board; and

WHEREAS, the Board recognizes the present need for parking and storage but does not favor the site under appeal except for a temporary period until a different location can be submitted; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution for a temporary period of six months.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7-h thereof, for a term of six months from the date of this action, to permit the plot under appeal to be occupied for the parking and storage of motor vehicles, *on condition* that only cars of the pleasure-car type shall be so stored or parked; that such uses shall not extend beyond the plot under appeal; that during the term of this permit the premises shall be occupied for no other use than that herein permitted; that there shall be no sale of used cars, and no automobile repairing on the premises; that no signs shall be erected, except a sign at the entrance at 91st street, advertising the parking and storage use, provided such sign does not exceed 15 sq. ft. in area, and does not extend beyond the building line; that no building shall be erected, except there may be constructed an office and shelter for the attendant, provided it does not exceed one story in height and 150 sq. ft. in area; that proper lanes shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

Adjourned, 4:15 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 6, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

265-28-BZ.

APPLICANT—Lawrence M. Rothman, for Ottilia Realty Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station.

PREMISES AFFECTED—3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot No. 43), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

372-29-BZ.

APPLICANT—Mackellar and Gerbracht, attorneys, for Dollar Savings Bank of the City of New York, owner.

SUBJECT—Application reopened October 24, 1939, re amendment of resolution (re decision of the borough superintendent of buildings), re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of a business building.

PREMISES AFFECTED—2330 Grand Concourse, east side, 150 ft. south of Field place (Block No. 3159, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

756-20-BZ.

APPLICANT—Fordham Plaza Auto Company, Inc.

SUBJECT—Application for consideration—reopening and amendment, re Application (decision of the borough superintendent of buildings), under section 7e of the building zone resolution, permitting in a business use district the erection and maintenance of a public garage.

PREMISES AFFECTED—4741-4751 Park avenue, northwest corner of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur C. Bergen.

ACTION OF BOARD—Application reopened, amended in part, and set for hearing April 16th, 1940.

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THE VOTE TO REOPEN, AMEND RESOLUTION AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(756-20-BZ)

WHEREAS, Charles S. Clark, architect, for Fordham Plaza Auto Company, owner, filed December 3, 1920, an application under the building zone resolution, to permit in a business district the erection of a garage for more than 5 motor vehicles; premises 2494-2498 Webster avenue and 4775 Park avenue, Borough of The Bronx; and

WHEREAS, this application was granted by the Board June 28, 1921, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 28, 1921, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building shall be of fireproof construction; that an unpierced wall separate the garage from the Webster avenue front stores, which wall shall be maintained unpierced, and that the architect of record shall make a return to this Board showing that the building has been completed in substantial accordance with the design submitted to the Board, and that the necessary permits for the prosecution of the work be obtained within nine months and the building completed within a year.

Resolved further, that in the event the owner desires to construct the building two stories in height instead of three stories, as herein permitted, and also desires to occupy part of the second story for a conforming use, such change may be permitted, provided a fireproof wall is constructed on the second story to subdivide the area and to separate the conforming use from the non-conforming garage use and that such portions of the 2nd floor shall comply as to exits, with the requirements of the Building Code therefor."

460-26-BZ.

APPLICANT—J. Henry Walters, for Brooklyn Ridgewood Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under sections 7c and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre.

PREMISES AFFECTED—4921-4923 Fifth avenue, 514-534 49th street and 513-533 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Henry Walters.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(460-26-BZ)

WHEREAS, this application affecting premises 4921-4923 Fifth avenue, 514-534 49th street and 513-533 50th street (Block No. 784, Lot No. 2), Borough of Brooklyn, was granted by the Board February 19, 1935, on certain conditions, resolution amended May 5, 1936; February 16, 1937; May 10, 1938, and June 7, 1939, and applicant requested a further extension of time.

Resolved, that the resolution adopted by the board on February 19, 1935, as amended May 10, 1938, and June 7, 1939, be and it hereby is *amended*, only so far as it has reference to the filing of plans and completion of work, so that as amended that portion of the resolution will read:

"that all plans shall be filed and all work involved completed within eighteen months from the date of this amended resolution."

807-28-BZ.

APPLICANT—Joseph L. Rhodie, for Harry Rhodie, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district, the extension in area of a gasoline service station by the removal and re-location of the walls of an existing garage.

PREMISES AFFECTED—40-35 Union street and 142-01 to 142-07 41st avenue (formerly 80-84 Madison avenue), northeast corner (Block No. 5021 (848), Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph L. Rhodie.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(807-28-BZ)

WHEREAS, on April 2, 1929, the Board granted a variation, permitting the erection of a fireproof garage for more than five motor vehicles, affecting premises 40-35 Union street and 142-01 to 142-07 41st avenue (formerly 80-84 Madison avenue), northeast corner (Block No. 521 (848), Lot No. 1), Flushing, Borough of Queens; proposed garage to have a height of four stories; a frontage of 77.8 ft. on Madison (41st) avenue and 109 ft. on Union street. This application was granted under section 7e, 7g and 21, the building on the premises having been occupied as a stable and garage prior to July 25, 1916; and

WHEREAS, this four story fireproof garage was not erected; and

WHEREAS, Alfred H. Eccles, applicant, for Harry Rhodie, owner, requested a reopening of the application under section 21 of the building zone resolution, to permit in a business use district, the extension in area of a gasoline service station, by the removal and relocation of the walls of an existing garage; and

WHEREAS, this application was granted by the Board April 2, 1929, resolution amended April 4, 1939, and owner requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 2, 1929, as amended by resolution of April 4, 1939, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting the existing garage to be altered, substantially as indicated on plans filed herein, by removing the existing front wall facing 41st avenue and constructing a new brick wall 18 feet further north, so as to provide a space thirty (30) feet in width parallel to 41st avenue, which may be used for the continuance of the sale of gasoline, *on condition* that not more than two pairs of pumps shall be erected; that such pumps shall be of the type approved for use with the Rapidayton System or similar, as approved by this Board; that no pumps shall be erected nearer than fifteen (15) feet to the building line of 41st avenue; that there shall be erected on the easterly

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lot line from the proposed wall to the building line of 41st avenue, a brick wall of similar face brick, not less than five (5) feet in height and suitably coped; that in front of such wall to the west, there shall be maintained a planted area, protected by a concrete curbing; that such area shall be not less than five (5) ft. in width and thirty (30) ft. in height; that the entire area used for the sale of gasoline shall be cement paved; that the existing curb cuts from Madison (41st) avenue and Union street, shall not be increased beyond the width of 25 feet each; that the existing garage building as proposed to be altered, shall be occupied only as a garage on the 1st story; that the 2nd story shall remain vacant; that the ceiling of the first story shall be fire-retarded throughout, in accordance with the rules of the Board of Standards and Appeals; that no parking shall be carried on in the gasoline selling area and no grease pits or other equipment shall be installed other than as herein permitted, except an air pump; that no automobile repairing shall be carried on; that signs shall be restricted to permanent signs attached to the facade of the building, excluding all roof signs and temporary signs, but permitting the construction of a post standard within the building line, for supporting a sign advertising solely the brand of gasoline sold; that no portable gasoline pumps shall be used on or from the premises; *that in view of statement by applicant that all permits have been obtained and the work substantially completed, that all work shall be completed within three months from the date of this amended resolution.*

42-32-BZ.

APPLICANT—Samuel L. Schwartz, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7f of the building zone resolution, permitting in a residence use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—2263-2273 Linden boulevard, northwest corner of Elton street (Block No. 4336, Lot No. 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel L. Schwartz.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(42-32-BZ)

WHEREAS, this application affecting premises 2263-2273 Linden boulevard, northwest corner of Elton street (Block No. 4336, Lot No. 21), Borough of Brooklyn, was granted by the Board May 6, 1932, on certain conditions, period extended January 28, 1936 and February 1, 1938, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on May 6, 1932, as amended February 1, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted under section 7, subdivision F for a period of two years from May 6, 1940, on condition* that any pumps will be set back at least 10 ft. from the building line of Linden boulevard and Elton street; that any entrance to gasoline station shall be confined to Linden boulevard frontage; that there shall be not more than two entrances, each not more than 12 ft. wide, with curb cuts not more than 14 ft. each; that any building erected on the premises shall be confined to one story

in height, used as an office or accessory use to gasoline service station conducted on the premises; that no portable gasoline tanks shall be operated or maintained on or from the premises; further, that this shall not be used as a basis for a permanent permit for a gasoline station or for nonconforming use on these premises; that any advertising signs advertising nonconforming use (gasoline station) shall be confined to the electric globes of the pumps or facade of the buildings erected on the premises, *and two (2) signs which may be illuminated and erected on post standards within the building line excluding any roof signs and temporary signs*, and that all permits shall be obtained within three months and any work involved shall be completed within six months from the date of this action."

200-33-BZ.

APPLICANT—Herman Glicker (lessee), for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2153-2155 First avenue and 331-347 East 111th street, northwest corner (Block No. 1683, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Glicker.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(200-33-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a gasoline service station, affecting premises: 2153-2155 First avenue and 331-347 East 111th street, northwest corner (Block No. 1683, Lot No. 18), Borough of Manhattan, was granted by the board, November 8, 1933; and

WHEREAS, this gasoline station was not erected and Herman Glicker, lessee for Consolidated Edison Company of New York, Inc., owner, requested a reopening of the application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was granted by the Board July 18, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 18, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing work, so that as amended that portion of the resolution will read:

"that in view of statement by lessee that all permits have been obtained and all work completed, that the requirements of this resolution shall be complied with completely within two (2) months from the date of this amended resolution."

127-35-BZ.

APPLICANT—Jack Z. Cohen, for Joseph Angelone, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, the parking and storage of

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more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—115-117 Truxton street, north side, 220 ft. east of Sackman street (Block No. 1544, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

THE RESOLUTION—

(127-35-BZ)

WHEREAS, this application affecting premises 115-117 Truxton street, north side, 220 ft. east of Sackman street (Block No. 1544, Lot No. 45), Borough of Brooklyn, to permit in a business use district the parking and storage of more than five (5) motor vehicles was granted by the board February 25, 1936, for a temporary period of two years on certain conditions, permit extended February 8, 1938, and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the board on February 25, 1936, as amended February 8, 1938, only so far as it has reference to period of this permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7h of the building zone resolution for a period of two years from February 25, 1940, to permit the plot under appeal to be used for the parking and storage of more than five motor vehicles, on condition that a suitable fence shall be erected on the side lot lines and on the street lot line; that such fence shall be kept painted; that parking and storage of motor vehicles shall not be extended to the adjoining property to the east; that there shall be no other non-conforming use permitted on the premises during the period of this variation; that there shall be no wrecking or repairing of automobiles; that the curb cut shall not exceed in width the existing cut for which a permit has been issued."

54-37-BZ.

APPLICANT—92-32 Union Hall Street, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—160-13 to 160-21 Archer avenue, north side, 110 ft. west of Union Hall street (Block No. 1051, Lot No. 150), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: P. Frank Ryan.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

THE RESOLUTION—

(54-37-BZ)

WHEREAS, 92-32 Union Hall Street, Inc., owner, filed February 13, 1937, an application under the building zone

resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises: 160-13 to 160-21 Archer avenue, north side, 110 ft. west of Union Hall street (Block No. 1051, Lot No. 150), Jamaica, Borough of Queens; and

WHEREAS, this application was granted for a temporary period of two years February 15, 1938, and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of February 15, 1938, only so far as it has reference to the duration of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under Section 7-H, to permit the premises under appeal to be used for transient parking of passenger automobiles for a period of two years, from the date of this amended resolution, on condition that the plot shall be levelled substantially to the grade of Archer avenue; that where walls of adjacent building do not occur on interior lot lines, substantial woven-wire fences shall be constructed; that a similar substantial woven-wire fence shall be constructed along street building line, except for an entrance not exceeding 20 ft. in width, to Archer avenue; that during the term of this variance, the plot shall be used for no other use than the use herein permitted; that any lights for illumination shall be so arranged with metallic reflectors as to reflect toward Archer avenue and away from adjoining premises; that no building shall be erected on the premises other than a small building for the attendant, not exceeding 100 sq. ft. in area and not over one story in height; that there shall be no signs other than one sign at the entrance, advertising the parking use and rates charged; that such accessory fire-fighting appliances shall be installed as the commissioner shall direct; and that all permits shall be obtained within two months from date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS

1111-39-A

APPLICANT—Benjamin Saltzman, Assistant Engineer for Department of Housing and Buildings, Borough of Brooklyn.

OWNERS—William and Anna Crystal.

LESSEE—Samuel Budoff.

SUBJECT—Appeal for the revocation of certificate of occupancy No. 66349 and permit No. 11430-31.

PREMISES AFFECTED — 545-567 Ridgewood avenue, northeast corner Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Opposition: Harvey L. Strelzin.

ACTION OF BOARD—Laid over to February 13, 1940, at 2 P.M., for further consideration by the Board.

1473-39-A.

APPLICANT—Alpine Petroleum Corporation, owner.

SUBJECT—Appeal from decisions, re orders of the fire commissioner, re Transportation and sale of gasoline in Tank Trucks (not of approved type) in New York City.

APPEARANCES—

For Applicant: Morris Kornblum.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal laid over to February 14, 1940, at 2 P.M.

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THE VOTE TO LAY OVER TO FEBRUARY 14, 1940—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

13-40-A.

APPLICANT—Almancia Hall, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-33 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Laid over to February 14, 1940, at 2 P.M. No appearance. Appellant to be notified.

59-40-A.

APPLICANT—Lama and Proskauer, for Ella Diamond, owner (Balco Service Station, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—310-316 Flatbush avenue extension, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Ballenberg.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to March 12, 1940, 2 P.M., for inspection by a committee of the Board.

112-40-A.

APPLICANT—Rosalind Sumber and Celia K. Ziman (lessees), for Prudential Insurance Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Rosalind Sumber and Celia K. Ziman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to March 5, 1940, 2 P.M., for inspection by a committee of the Board.

125-40-A.

APPLICANT—John B. Reschke, for Angelo Mazzei, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Becker.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to February 14, 1940, at 2 P.M., to obtain plans from Building Department.

1300-39-A.

APPLICANT—A. F. Meissner, for Rev. George D. Sherman, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar, previously withdrawn—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-05 78th avenue, northeast

corner of 84th street (Block No. 3840, Lot No. 24), Glendale, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

24-40-A.

APPLICANT—Isaac Kallich, for Anna Speert, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1860 74th street, south side, 128 ft. west of 19th avenue (Block No. 6216, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

58-40-A.

APPLICANT—Charles D. Vandenburg, for Long Island Railroad Company, owner (Appalachian Oak Flooring Company, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—181-21 Liberty avenue, north side, 410 ft. west of 183rd street (Block No. 10329, part of Lot No. 201), Hillside, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

488-37-A.

APPLICANT—Carbide and Carbon Chemicals Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze (inflammable mixture), in non-refillable cans in New York City.

APPEARANCES—

For Applicant: W. C. Roszel and H. C. Stelling.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of

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Anti-Freezes (inflammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Please be advised that this department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (inflammable mixtures) for the reason that

'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallon each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each'."

"NOTE: The cans for the inflammable mixtures submitted by you to this department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, the three corporations joining in this appeal propose to market the anti-freeze mixtures consisting primarily of denatured alcohol and/or methanol with coloring matter and anti-rust compound added, through various agencies and under various trade names; and

WHEREAS, this application was granted by the Board October 19, 1937, on certain conditions, resolution amended November 3, 1937; November 23, 1937; October 4, 1938, and November 19, 1939, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted October 19, 1937, as amended November 3, 1937; October 4, 1938, and December 20, 1938, so that as amended it shall read:

"**Resolved**, that the decision of the fire commissioner dated October 8, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can a prominent notice reading 'UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE'; that each notice shall have white letters on a fire department red background or fire department red letters on a white or aluminum background; that for the balance of the year 1937 such cans as are manufactured without this notice shall bear a similar notice pasted upon each, reading as herein required; that after January 1st, 1938, such notice shall be part of the lithographed label on the side or top surface of the can; and that the label shall also contain the additional words:

"THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 488-37-A";

that the application to the fire commissioner shall state the name of the manufacturer of such anti-freeze."

Resolved, further, that these products may be marketed in cans bearing the names and addresses of the following manufacturers or agents with their respective brand or trade names as follows:

By E. I. DU PONT DE NEMOURS & Co., Inc.

DuPont Zerone Anti-Rust Anti-Freeze

DuPont Five Star Anti-Freeze

By GENERAL MOTORS PARTS CORPORATION

Genuine General Motors Anti-Freeze

By U. S. INDUSTRIAL CHEMICALS INC.

Subsidiary of the U. S. Industrial Alcohol Co., Inc.

Super Pyro Anti-Freeze

By CARBIDE AND CARBON CHEMICALS CORP.

Winter-Flo Anti-Freeze

Blue-Flo Anti-Freeze

By SINCLAIR REFINING CO., INC.

Sinclair Super Anti-Freeze

By SEARS, ROEBUCK & CO.

Durozone Anti-Freeze

By PURE OIL CO.

Purol Anti-Freeze

By THE GOODYEAR TIRE & RUBBER CO.

All Weather Anti-Freeze

By FIRESTONE TIRE & RUBBER CO.

Firestone Super Anti-Freeze

By AMERICAN OIL COMPANY

Amoco Super Anti-Freeze

By TIDE WATER ASSOCIATED OIL COMPANY

Veedol High-Test Anti-Freeze

By The C. P. Chemical Solvents, Inc.

"CHEX ANTI-FREEZE"

By Tri-State Products Company

"SUPER 200 ANTI-FREEZE"

By Moto-Gard Products Company

"MOTO-GARD ANTI-FREEZE"

By NATIONAL CARBON COMPANY, INC.

Trek High-Test Anti-Freeze

516-37-A.

APPLICANT—Lama and Proskauer, for Bessie Reibel, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Bessie Reibel.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, time extended and resolution amended.

THE VOTE TO REOPEN, EXTEND TIME, AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(516-37-A)

WHEREAS, Lama and Proskauer for Bessie Reibel, owner, filed on October 28, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated October 20, 1937, reads as follows:

"In reply to your letter dated October 14th, concerning the above mentioned premises, this is to advise that your request for reinstatement of Permit 1441-33 is hereby denied."

and

WHEREAS, the building in question is three stories (35 feet) in height, 24 ft. 3¾ in. by 60 ft. in area, of non-fire-proof construction, located in a business use district, erected in 1918 and occupied since 1925, as follows: Cellar, storage; 1st floor, store and gasoline station; 2nd floor

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one family; 3rd floor, one family, for which no certificate of occupancy has been issued; and

WHEREAS, the premises in question was the subject of an application for a variation of the provisions of the building zone resolution under Cal. No. 91-37-BZ and said application was denied; and

WHEREAS, the applicant contends that in May, 1925, an application for the installation of a gasoline tank and pump was approved by the fire department covering an area of 24 ft. 10 in. on Mermaid avenue, and 100 ft. on West 33rd street. This alteration was completed. In March, 1933, a plan was approved by the building department under permit number 1441-1933, for the installation of an additional tank and the alteration of the building to remove the entire front on Mermaid avenue and a portion of the wall on West 33rd street. This job was completed and the owner never applied for a certificate of occupancy. On July 31, 1935, approximately two years after the completion of the alteration, the owner received a violation revoking the permit on the grounds of misrepresentation of facts, and requesting the wall on West 33rd street side of the building replaced to the original condition. The owners contend that the permit was legally issued and the work was executed in good faith; and

WHEREAS, this appeal was granted by the Board January 11, 1938, on certain conditions, and applicant requested an amendment of the resolution as to extension of time and construction of brick wall;

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 11, 1938, so that as amended, it shall read:

"Resolved, that the decision of the commissioner of buildings, dated October 20, 1937 refusing to reinstate permit No. 1441-1933, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the wall along West 33rd street building shall be restored substantially as indicated on the original plans from which this building was constructed under permit No. 3985-1918, but permitting an entrance door, provided the width of same is not over 3 ft.; that the present curb cut from Mermaid avenue may remain solely for access to this area for the greasing of cars; that no cars shall be permitted to drive across the sidewalk for the servicing of gasoline; that such servicing may be by means of not over two portable tanks on the Mermaid avenue side, provided no servicing shall be carried on along West 33rd street; that no additional gasoline storage tanks other than those now installed shall be permitted; that signs shall be limited to signs on the store facing Mermaid avenue below the soldier course at the top of the show windows, precluding all temporary signs and all roof signs except illuminated pump signs; that not over two gasoline pumps now in position shall remain, the third pump shown on the plans along the 33rd street building line to be removed; that all permits shall be obtained and all work completed within three months from the date of this resolution."

"Resolved further, that in view of statement by applicant that the work has been done but without obtaining permits therefor, that all permits shall be obtained within one month from the date of this amended resolution, and that the work shall be completed one month thereafter; and that such brick wall may be constructed of rough brick, faced with marble or similar material, as approved by the borough superintendent."

635-38-A.

APPLICANT—Colonial Beacon Oil Company, Inc., lessee (Arverne Bay Construction Company, owner).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1868-1898 Linden boulevard, south side, from Alabama avenue to Georgia avenue

Block No. 4344, Lot Nos. 1, 9, 10 and 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(635-38-A)

WHEREAS, Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., lessee, filed on July 18, 1938, an appeal from a decision of the acting Borough Superintendent, Department of Housing and Buildings, affecting premises: 1868-1898 Linden boulevard, south side, between Alabama and Georgia avenues (Block No. 4344, Lot Nos. 1, 9, 10 and 11), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on Fire Prevention Application 9967-38 reads:

"1. Capacity of gasoline tanks not to exceed 550 gallons. C 19-51.0, Administrative Code."

and

WHEREAS, the premises consist of a plot 200 ft. by 100 ft. in area, upon which it is proposed to erect a one-story non-fireproof building, 14 ft. 9 in. in height, 105 ft. by 28 ft. in area; to be occupied as a lubritorium, office, automobile laundry and motor vehicle repair shop; to install three (3) 2,000-gallon gasoline storage tanks in a concrete enclosure, as shown on plans filed July 18, 1938; and to erect 10 gasoline dispensing pumps and provide for 5 future gasoline dispensing pumps; and

WHEREAS, the applicant contends that the tanks will be set on concrete cradles approximately 20 in. below grade, in a concrete vault or pit with walls and floor thereof suitably waterproofed; that a driveway slab with a live load of 300 lbs. will be placed at grade; that entrance to the vault will be by means of a manhole and engineer's ladder; that the method of drawing gasoline from the tanks will be by the "Pull" system, which means that each dispensing pump will pull its own supply via a motor in the pump; that the ventilation of pit will be by a mechanical exhaust system operated in conjunction with the ventilation of the lubritory; that a fixed ratio of 15 air changes per hour will be maintained and the system will be operated continuously during open hours of the station; that an electrical device will be installed to prevent pump operation unless exhaust system is in operation; that the proposed piping layout indicates a separate 2 inch vent line for each tank terminating 10 ft. above roof level; that a separate fill line for each tank, fitted to an approved type fill box and a separate suction or draw-off line with required suction stub and angle check valve for each individual pump, will be provided; that the dispensing pumps will be located on concrete islands set back 16 ft. from any street line and will be masonry enclosed in accordance with the "Parkway" type pumps; and

WHEREAS, this appeal was granted by the Board July 20, 1938, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 20, 1938, so that as amended, it shall read:

"Resolved, that the decision of the Borough Superintendent, in acting on Fire Prevention Application No. 9967-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the installation of three (3) 2,000-gallon gasoline storage tanks, as indicated on plans filed with this appeal, *on condition* that all the requirements stated on such plans (Sheets 1, 2 and 3) shall be complied with; that the ventilating duct from the tank enclosures shall be of 8-inch terra cotta, below ground, and approved

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metal ducts above ground to the roof; that the tanks shall be inspected daily to detect any possible leaks and that a record of inspection shall be maintained on the premises for inspection by the Department; that the tank enclosure shall be waterproofed at the bottom and on the side walls, up to a point sufficient to contain $1\frac{1}{2}$ times the total capacity of the tanks; that the saddles on which the tanks rest, shall be lined with sheet lead with full bearing, and that in all other respects, the installation shall comply with the Administrative Code requirements therefor.

Resolved further, that in lieu of the above requirements for continuous operation of the ventilating system there may be installed a time switch to control the ventilating system, so that the requirements of this resolution as to ventilation of the tank enclosures, and the requirements of the Fire Department for the ventilation of the lubricatorium, shall be complied with, provided such switch is wired into the feed line with a seal type fuse so as to insure continued operation; and that if such time switch is installed, as herein permitted, the requirement for the inter-connection of the wiring with the operation of the gasoline pumps may be discontinued, provided in all other respects the requirements of the resolution are complied with."

857-39-A.

APPLICANT—Cities Service Oil Company, lessee, for Chase National Bank, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—130-134 Maiden lane, southwest corner of Water street (Block No. 39, Lot Nos. 26, 27 and 28), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(857-39-A)

WHEREAS, Cities Service Oil Company, lessee, for Chase National Bank, owner filed June 26, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: 130-134 Maiden lane, southwest corner of Water street (Block No. 39, Lot Nos. 26, 27 and 28), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on F.P. Application 392-39 dated June 23, 1939, reads:

"The amendment to install a Janitrol Gas Unit Heater at the above premises is disapproved with the following objection:

1. The Board of Standards and Appeals, in their general approval of this unit under 683-38-SA, stated that the bottom of the heater be located at least 8 ft. 0 in. above the floor level, and your amendment requests permission to set the heater so as to have but 5 ft. 8 in. clearance from floor to bottom of heater."

and

WHEREAS, the premises consist of a plot 62 ft. 1 in. by 63 ft. 8 in. in area, located in an unrestricted use district upon which it is proposed to erect a one story building 12 ft. 8 in. in height, 14 ft. by 39 ft. in area, of Class 5 construction and occupied for car washing and greasing; and

WHEREAS, the applicant contends that the building will be constructed of angle irons and galvanized sheet metal, with Portland Cement on metal lath on the interior; that the height of the ceiling is 8 feet 8 inches, and the heater is

36 inches; that it is therefore impractical to provide the clearance required by the Board in its general approval of the appliance; a modification is requested, so as to permit installation of these heaters 5 feet 8 inches above the floor; and

WHEREAS, this appeal was granted by the Board July 5, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted July 5, 1939, so that as amended, it shall read:

"*Resolved*, that the decision of the borough superintendent, on F.P. Applic. No. 392-39, be and it hereby is modified, and that the appeal be and it hereby is granted, permitting the erection of the Janitrol Heater, as proposed, on condition that in all other respects the installation complies with the requirements of the approval of the Board under Cal. No. 683-38-SA and to the requirements of the borough superintendent of buildings and that a proper barricade shall be constructed around the heater to prevent any damage from interference by automobiles.

Resolved further, that if it is found impractical to maintain the height from floor to the underside of the heater at 5 ft. 8 inches, as proposed, such height may be reduced, provided space is at no point less than 5 ft. 4 inches."

909-39-A.

APPLICANT—John A. Schwarz, for John A. Schwarz, Inc., lessee (Peter Doelger, Inc., owner).

SUBJECT—Application for consideration—reopening and reconsideration re Appeal from an order and a decision of the fire commissioner (previously denied).

PREMISES AFFECTED—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Borough of Queens.

APPEARANCES—

For Applicant: John A. Schwarz.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Appeal reopened, resolution reconsidered, and granted on condition.

THE VOTE TO REOPEN AND RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(909-39-A)

WHEREAS, William H. Warnecke, for Peter Doelger, Inc., owner (John A. Schwarz, Inc., lessee), filed June 30, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 990-L.F., dated July 28, 1938, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout the building having at least one source of water supply, arranged and equipped as provided in Art. 16, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 16, 1939; and

WHEREAS, the building is 3 stories (35 ft.) in height, 50 ft. by 100 ft. in area, located in a business use district, erected in 1900 and occupied as a furniture store; and

WHEREAS, the applicant contends that the building was altered for the present use in 1925; that adequate exits have been provided; that the merchandise stored in the cellar is mainly non-inflammable; that the cellar is divided

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by masonry wall protected with self-closing fireproof doors; that the boiler room is fully enclosed in masonry; that ample aisle space is provided; that the lessee only has two years to remain on the premises under the lease, which will not be renewed; that to comply with the order at this time, will be a hardship as the cost of the sprinkler system would not be returned by reduction in insurance premium over two years; and

WHEREAS, this appeal was denied by the Board; reopened and reconsidered by vote of the Board;

Resolved, that the order of the fire commissioner, No. 990-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that there shall be installed throughout the cellar a non-automatic dry sprinkler system meeting all the requirements of the Building Code therefor, except that all fittings shall be of malleable iron; that the rug rack on the 3rd floor at the window facing Jamaica avenue, and the rack on the second floor, shall be so arranged as to permit access to these floors from Jamaica avenue; that similar openings in partitions at the window shall be made at the rear; that the existing exit to the cellar from Jamaica avenue shall be continued; that the sale of all merchandise other than furniture and merchandise usually sold in connection therewith shall be discontinued.

1509-39-A.

APPLICANT—Brown Linseed Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2581 Richmond terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Charles McMullen.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1509-39-A)

WHEREAS, Brown Linseed Corp., owner, filed December 15, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises: 2581 Richmond terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, No. 5412-LF, dated August 9, 1939, reads:

"1. Provide a yard hydrant system arranged and equipped as per Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated December 14, 1939; and

WHEREAS, the premises consist of a large plot, 2356 ft. on Richmond terrace, with a depth of 575 ft. therefrom, occupied as a plant for the manufacture of linseed oil, located in an unrestricted use district; and

WHEREAS, the applicant contends that the product manufactured has a flashpoint of approximately 600 degrees F; that the plant is provided with foam type fire extinguishers, water pails, sand pails, four 2 in. fire lines, equipped with 150 ft. of hose, each connected to a 2 in. main running from the 20 in. city main in front of the property; that there have also been provided three 2 in. hose lines 150 ft. each in length connected direct to the steam line supplied by auxiliary steam pumps, and a 4 in. salt water line running directly from the river front is also connected to this line through the same pumps; that steam pressure is constantly

maintained so that all pumps are ready for instant operations; that these hoses are of sufficient length to reach any part of the premises; that fire alarm boxes and city fire hydrant are located directly opposite the premises and are easily accessible from the plant; that watchman service is maintained at night and holidays; that housekeeping conditions are properly maintained; that in view of the present fire-extinguisher equipment and the location of the plant on the water front and the fact that it is situated away from any adjoining buildings, it is requested that the requirement for the yard hydrant system be waived.

Resolved, that the order of the fire commissioner, No. 5412-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition*, that the fire-fighting equipment as described shall be maintained to the satisfaction of the fire commissioner; that signs shall be maintained at several prominent positions throughout the plant, indicating location of the nearest fire alarm box; and that such additional fire-fighting appliances shall be installed as the fire commissioner shall direct; that all watchman service maintained at night and on holidays shall be continued; that the nozzles on the 2-inch hose shall not exceed 1/2-inch in diameter; and *granted only so long* as the premises shall be used as set forth.

1540-39-A.

APPLICANT—L. B. Santangelo for Estate of Joseph L. Bittenwieser (Clarence Bittenwieser, Executor), owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Santangelo.

For Administration Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1540-39-A)

WHEREAS, L. B. Santangelo, for Estate of Joseph L. Bittenwieser (Clarence Bittenwieser, Executor), owner, filed December 26, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 30 West 56th street, south side, 434 ft. west of Fifth avenue (Block No. 1271, Lot No. 55), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 3760-39, dated December 8, 1939, reads:

"1. Use of a club in a class 3 construction building is contrary to Sec. 4.2.1 of B.C.

3. Exits should comply with Art. 7 of B.C. based on number of occupants at least one for each 10 sq. ft. per person Sec. 6.1.2.3. of B.C."

and

WHEREAS, the building is 5 stories and penthouse (75 ft.) in height, 41 ft. by 74 ft. in area, with an extension at the 1st floor, 12 ft. by 24 ft. in area, of class 3 construction; located in a retail use district; erected in 1911 and occupied as a one family dwelling. It is proposed to occupy the building as follows: Cellar—boiler room and storage, no persons; 1st floor—entrance hall and kitchen, 5 persons; 2nd floor—restaurant and foyer, 85 persons; 3rd floor—private club; 4th, 5th and penthouse floors—vacant; and

WHEREAS, the applicant contends that the building will remain vacant above the 3rd floor; that inasmuch as the upper floors will remain vacant and will not be used for residential purposes, the building should be classified as a commercial building and restricted to 4 stories or 50 ft., under the Code; that the club will be operated strictly as a private

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club will be located on the 3rd floor which will not be over 50 ft. above grade; that the requirements of the building department, under objection No. 3, are based on an occupancy of one person for every 10 sq. ft., which would require exits for about 350 persons, whereas, as a matter of fact there will not be more than 120 persons in the building at any time; that the applicant requests to be relieved of the requirement for providing an additional stairway, as such installation would mar the architectural interior of the building which consists of hardwood floor, trim and paneling; that it is proposed to enclose the rear stair with fire-retarded protection up to and including the top story, and to extend this stairway to the cellar, where an existing passageway along the westerly side of the building will be fire-retarded to serve as a means of egress to the street from said stairway; that the means of egress existing and as proposed are adequate for the occupancy intended; and

WHEREAS, a committee of the Board has inspected the premises, a former private dwelling now occupied as a public restaurant on the cellar, first and ground floors and by the Beethoven Society on the third floor; and

WHEREAS, in the opinion of the Board the occupancy as proposed requires substantial compliance with the legal requirements for the protection of the occupants.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3760-39, objections Nos. 1 and 3, be and it hereby is affirmed, and that the appeal be and it hereby is denied.

21-40-A.

APPLICANT--Gould Sprinkler Company, for Teddy's The House of Sea Food, owner (D. Serrantino & Co., Inc., lessee).

SUBJECT--Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED--163 South street, west side, 20 ft. 4 in., north of Dover street (Block No. 108, part of Lot No. 8), Borough of Manhattan.

APPEARANCES--

For Applicant: Alfred M. Gould.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD--Appeal granted on condition.

THE VOTE--

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION--

(21-40-A)

WHEREAS, Gould Sprinkler Company (D. Serrantino & Co., Inc., lessee), for Teddy's The House of Sea Food, owner, filed January 8, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises: 163 South street, west side, 20 ft. 4 in. north of Dover street (Block No. 108, part of Lot No. 8), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 18767-LC, dated August 31, 1939, reads:

"Before permit may be issued to store combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system. Sec. C19-149 O-C4, Art. 26, New York City Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated December 19, 1939; and

WHEREAS, the building is 4 stories (49 ft. 6 in.) in height, 21 ft. by 71 ft. 6 in. in area, of class 3 construction, located in an unrestricted "A" area district, erected prior to 1890, and occupied since 1939 as follows: 1st floor--storage and storing of waste paper, 2 persons; 2nd floor--storage, storing and baling of waste paper, 2 persons; 3rd floor--same; 4th floor--vacant; proposed to be occupied; 1st, 2nd and 3rd floors--

same; 4th floor--storage, storing and baling of waste paper, 2 persons; and

WHEREAS, the lessee was convicted and fined in the Municipal Term Magistrate's Court on January 5, 1940, on a charge of violating the Administrative Code; and

WHEREAS, the applicant contends that the stock is distributed as follows: 1st floor--5 tons baled paper; 2nd floor--3 tons of loose paper; 3rd floor--1 ton of loose and 2 tons of baled paper; 4th floor--not used at present; total occupancy throughout building, 6 persons; that the building connects with No. 162 South street through several openings in the party wall; that openings on the 1st and 2nd floors have been closed up with frame partitions; that the 3rd and 4th floors have double fire doors; that the building is not heated and that it is proposed to install a non-automatic sprinkler system, and an automatic fire alarm system;

Resolved, that the order of the fire commissioner, No. 18767-LC, Item 1, be and it hereby is modified, and that the appeal be and it hereby is granted on condition, that there shall be installed throughout the building a non-automatic dry-pipe sprinkler system without connection to street water main, but with a fire department siamese at the street building line; that an automatic fire alarm system shall be installed, connected with headquarters through a central station; that in all other respects the sprinkler system shall comply with all the regulations therefor, except that all fittings shall be of malleable iron; that openings between this building and the adjoining building at No. 162 South street shall be bricked up on all stories, with approved masonry; that such masonry may be omitted where there are existing labelled fire doors in proper working order and are kept closed; that all trap doors at openings in floors and at stairways shall be held open with fusible links; that in all other respects the maintenance of the storage throughout the building shall meet the approval of the fire commissioner.

39-40-A.

APPLICANT--S. Walter Katz, for Handalson Realty Corporation, owner.

SUBJECT--Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED--665 East 17th street, east side, 156 ft. 7/8 in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

APPEARANCES--

For Applicant: S. Walter Katz.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD--Appeal granted on condition.

THE VOTE--

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION--

(39-40-A)

WHEREAS, S. Walter Katz, for Handalson Realty Corp., owner, filed on January 11, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises: 665 East 17th street, east side, 156 ft. 7/8 in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 3360-39, dated January 8, 1940, reads:

"1. Increase in number of rooms contrary to Sec. 4.1.3.1 (a) 1 of Building Code."

and

WHEREAS, the building is two stories and attic (30 ft.) in height, 29 ft. by 42 ft. in area, of class 4 construction, located in a residence use, "G" area, district; erected prior to 1900, occupied as a one-family building with 5 rooms on the 1st floor, 5 rooms on the 2nd floor, and 3 rooms in the attic; proposed to be occupied as a one-family dwelling with

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6 rooms on the 1st floor, 6 rooms on the 2nd floor and storage in the attic; and

WHEREAS, the applicant contends that the alteration is being made because the owner no longer wishes to occupy the attic rooms for sleeping purposes, and proposes to create new bedrooms on other floors. There are at present 13 living rooms in the building and it is proposed to reduce this number to 12. The attic will no longer be used for living purposes; that the Building Code should not apply in view of the fact that there is no increase in the number of living rooms proposed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 3360-1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the building, when altered as proposed, shall not be nearer than 5 ft. to the side lot line on one side and not nearer than 10 ft. to side lot line on opposite side; that the building shall not be extended in height or area, and shall not be occupied by more than one family; that the attic shall not be used for living purposes.

53-40-A.

APPLICANT—William Shary, for John J. Bradley, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—72-74 Horatio street, south side, 94 ft. 5 in. west of Greenwich street (Block No. 642, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(53-40-A)

WHEREAS, William Shary, for John J. Bradley, owner, filed January 15, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises: 72-74 Horatio street, south side, 94 ft. 5 in. west of Greenwich street (Block No. 642, Lot No. 52), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 3561-39, dated January 4, 1940, reads:

"2. New stairs should be enclosed in walls or partitions having a fire resistive rating of at least two hours. 6.4.1.8.1 B.C. Doors to stairs should open into stairway without obstructing required width of stairs or landings, 6.2.2. B.C. Also two exits required from each floor area due to area exceeding 3000 square feet. 6.1.2.2.3 B.C. Stairs should be of incombustible materials throughout. Reconsideration denied.

12. Location of garage is required to comply with Sec. 21 B.Z.R. Note that day nursery with kindergarten classes is located on same street between intersecting streets."

and

WHEREAS, the building is 4 stories (54 ft.) in height, 50 ft. by 83 ft. in area, of class 3 construction, located in an unrestricted use "A" area district, erected in 1908 and occupied throughout as a stable; proposed to be occupied: cellar—storage, no persons; 1st floor—garage for more than 5 motor vehicles, 5 persons; 2nd, 3rd and 4th floors—storage, 3 persons each floor; and

WHEREAS, the applicant contends as to Objection No. 2 that the building was formerly provided with an elevator at street front, wood enclosed ramps and no stairs; that it is proposed to provide a new iron stairway from the cellar to the roof, enclosed in partitions on both sides, of wood studs fire-retarded with 3/8 in. plaster boards and plastered

with 1/2 in. unsanded gypsum plaster; that it is also proposed to provide a fire escape on the front of the building as a secondary means of egress; that as to Objection No. 12, there is no school on the same street within the limitations set by section 21 of the building zone resolution; that the building inspector's report attached to the alteration application No. 3561-39 states that "the ages of the children attending this school range from infants to school age" and that "the school in question is a day nursery and not a school as defined by the building zone resolution"; and

WHEREAS, the committee of the Board inspected the conditions in the street, particularly the kindergarten opposite the building under appeal, but were unable to inspect the building which was locked; and

WHEREAS, the Board sees no justification for the variance requested as to legally required exits, and is of the opinion that in view of the kindergarten on the street, the proposed garage use should not be permitted.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 3561-39, objections 2 and 12, be and it hereby is *affirmed*, and that the appeal be and it hereby is

54-40-A.

APPLICANT—J. S. Myers, for Bethlehem Steel Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Southeast corner of Davidson street and Mersereau avenue (Block No. 1242, Lot No. 5), Arlington, Borough of Richmond.

APPEARANCES—

For Applicant: J. S. Myers.

For Administration: Frank O'Leary, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(54-40-A)

WHEREAS, J. S. Myers, for Bethlehem Steel Co., Inc., owner, filed on January 16, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises: Southeast corner of Davidson street and Mersereau avenue (Block No. 1242, Lot No. 5), Arlington, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 3-1940, dated January 11, 1940, reads:

"1. The proposed extension (about 9100 sq. ft.) to existing structure (about 21600 sq. ft.) is contrary to the Administrative Code, Sec. C26-256.0 as the existing structure exceeds the tabular area in Sec. C26-254.0 for Class 5. Metal structures and no fire wall is proposed.

2. The extension will be 2 ft. instead of 4 ft. from the lot line on Mersereau Ave., contrary to Sec. C26-254.0."

WHEREAS, the building is one story (49.5 ft.) in height, 202.34 ft. by 127.34 ft. in area, of class 5 construction, located in an unrestricted use district, erected in 1916 and 1917 and occupied as a foundry, 50 persons; which will consist of an extension (approximately 9,100 sq. ft. in area) to the existing foundry (approximately 21,039 sq. ft. in area); proposed occupancy, same—75 persons; and

WHEREAS, the applicant contends that the proposed extension will be approximately 9,354 sq. ft. in area; that the present building is constructed of steel framing enclosed with corrugated asbestos sheets and steel sash above a 6 ft. high eight-inch brick wall on concrete foundations; that the roof decking is 1 3/8 in. wood planking covered with asbestos felt, built-up roofing; that the proposed extension will be of

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similar construction, except that the roof decking will be of 2½ in. gypsum tile, and the steel work will be designed for the future installations of two (2) 15-ton cranes; that the existing building will be reinforced when these cranes are installed; that the increase in facilities proposed is necessary to take care of increased business, and the proposed extension has been designed to conform with the present widths and heights of the existing building, so that the cranes may be extended continuously throughout the entire building; that the present building is located two feet from the lot line, and such location was legal at the time the building was erected; that the building is open on all sides and is equipped with a standpipe system.

Resolved, that the decision of the borough superintendent, on Al. Applic. No. 3-1940, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the proposed extension, and to permit such extension to be constructed not less than 2 ft. from the lot line of Mersereau avenue, *on condition*, that the construction shall be as proposed, of incombustible material; that the standpipe system shall be continued throughout the proposed extension, in accordance with the requirements of the Building Code therefor; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and *granted* only so long as the building is occupied as proposed, as a foundry building, by the owner or its subsidiaries or successors in the same line of business.

76-40-A.

APPLICANT—William Shary, for 500 East 117th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—316 Pleasant avenue, east side, 25 ft. south of East 117th street (Block No. 1715, Lot No. 49), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary and Anthony C. Merona.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(76-40-A)

WHEREAS, William Shary, for 500 East 117th Street Corporation, owner, filed on January 22, 1940, an appeal from a decision of the borough superintendent, of buildings, affecting premises 316 Pleasant avenue, east side, 25 ft. south of East 117th street (Block No. 1715, Lot No. 49), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated January 11, 1940, re Certificate of Occupancy, reads:

"In answer to your letter of January 5th, 1940, requesting that certificate of occupancy be issued on the above premises, we wish to advise you that N.B. 248-1937 was filed for a one story building to be occupied as garage for more than five motor vehicles; plans were approved for this building on January 21st, 1938, at which time the premises were located in an unrestricted district; the use district map was changed placing these premises in a residence district on May 28, 1938, and a permit to build No. 2173 of 1938 was obtained June 20th, 1938.

In view of the fact that a permit to build was not obtained until after the change of the district, your request for the issuance of certificate of occupancy is hereby denied and you are advised it will be necessary to

take this matter before the Board of Standards and Appeals for their decision in the matter."

and

WHEREAS, the building is one story (13) ft. in height, 25 ft. by 98 ft. in area, of Class 3 construction, located in a residence use A area district, erected in 1938, at which time the premises were located in an unrestricted use district; and

WHEREAS, the applicant contends that Misc. App. No. 1107-37 was approved December 21, 1937, for installation of a fill box and gasoline storage tank; that the Highway Department Permit M-5097 was issued on January 7, 1938, for installation of the fill box; that Drop Curb Appl. No. 186-37 was approved December 23, 1937, and a cut curb permit No. M-5098 was issued January 7, 1938; that Building Permit No. 2173-38 was issued June 20, 1938; that on May 28, 1938, the use district was changed to residence; that the work was commenced and was in progress prior to April, 1938; and

WHEREAS, the Board suggested that applicant should file an application for a building zone variance.

Resolved, that the decision of the borough superintendent, re issuance of certificate of occupancy, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

APPLIANCES SUBMITTED FOR APPROVAL

201-39-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Carrier Home Weathermaker, Type 58C4 (Gas Fired), (Carrier Direct Fired Gas Burner Unit, Model 58C3, previously approved).

APPEARANCES—None.

ACTION OF BOARD—Application reopened and referred to committee for test and report.

THE VOTE TO REOPEN AND REFER TO COMMITTEE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

334-39-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Carrier Oil Burner, Model 62D5 (Models 62D2 and 62D3, previously approved).

APPEARANCES—None.

ACTION OF BOARD—Application reopened and referred to committee for test and report.

THE VOTE TO REOPEN AND REFER TO COMMITTEE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

MATERIALS SUBMITTED FOR APPROVAL.

124-38-SM.

APPLICANT—North American Cement Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Blue Bond Mortar Cement, previously approved.

APPEARANCES—

For Applicant: William G. Lush.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(124-38-SM)

WHEREAS, North American Cement Corporation, owner, filed March 1, 1938, an application with the Board of Standards and Appeals for approval of their materials known as North American Portland Cement, Berkeley Masons Hydrated Lime and Blue Bond Masonry Cement; and

WHEREAS, this material was referred to the committee on tests for test and report; and

WHEREAS, a report of the committee on tests dated June 20, 1938, recommended approval of this material; and

WHEREAS, on June 21, 1938, the Board approved the material known as the North American Portland Cement, the Berkeley Masons Hydrated Lime and the Blue Bond Mortar Cement; and

WHEREAS, the manufacturer has changed the specifications of the Blue Bond Mortar Cement; and

WHEREAS, an amendment to the building code permits additional uses of this material; and

WHEREAS, the report of the Committee on Tests was amended to read as follows:

REPORT OF COMMITTEE ON TESTS.

February 6, 1940.

Cal. No. 124-38-SM
Blue Bond Mortar Cement.

The North American Cement Corporation filed a request for reopening of the approval granted them for the purpose of amending the approval so as to permit the use of Blue Bond Mortar Cement under C26-312.0 c par. 2 (7.1.1.7.3) for use as permitted under C26-314.0 b (7.1.1.9) in the proportions for cement mortar as provided in C26-313.0 c, d, (7.1.1.8.3-4) and for use in openings as permitted under C26-418.0 (8.4.1.6) as amended by local law No. 60 adopted November 10, 1938.

In addition to the tests as previously submitted, the following test was made:

Tension tests were made at the Pittsburgh Testing Laboratory, Report No. 206-502, in accordance with the method of testing procedure in A.S.T.M.-D.C. 9-37 for data to meet the requirements of C26-314.0 (7.1.1.9), wherein the requirement for *other mortars*, used in lieu of cement mortars, as defined in the code, shall have a tensile strength at the end of 28 days of *not less* than 150 lbs. per sq. in. The results of this test were:

7 day Spec.	28 day Spec.
260	320
255	315
265	300
260 Av.	312 Av.

On the basis of the composition of the Blue Bond Mortar Cement being maintained as approved on March 14, 1939, the Committee recommends that the application be reopened so as to permit the use of this material as an acceptable mortar to be used in lieu of cement mortar under C26-312.0 c par. 2 (7.1.1.7.3) for use as permitted under C26-314.0 b (7.1.1.9) in the proportions for cement mortar as provided in C26-313.0 c, d, (7.1.1.8.3-4) and for use in openings as provided in C26-418.0 (8.4.1.6) as amended by local law No. 60 adopted November 10, 1938.

That in all other respects, the conditions of the original approval shall be complied with and that the manufacturer shall file certified monthly tests for compliance with

the specifications of this material on which the approval was granted.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *reaffirm* its approval of North American Portland Cement and Berkeley Mason's Hydrated Lime and *rescinds* its approval of June 21, 1938, of Blue Bond Mortar Cement, *substituting* therefor its approval of this date, of the Blue Bond Mortar Cement, for use in New York City, when manufactured and used in accordance with the above report on condition that the material when marketed in paper or cloth bags or in bulk shall be tagged, labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 124-38-SM."

526-39-SM.

APPLICANT—Stanley G. Flagg and Company, Inc., owner.

SUBJECT—Flagg Mushroom Type Vent Cap, approval of.
APPEARANCES—None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

Adjourned, 6:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on January 9, 1940, as they appeared in Bulletin No. 3, Vol 25, are hereby corrected to read as follows:

1152-39-BZ.

APPLICANT—Philip Birnbaum, for Crescent Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—77-15 and 77-35 113th street, south side of 77th avenue and north side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension), (Block No. 2269, Lot Nos. 2, 24 and 32), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Philip Birnbaum.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(1152-39-BZ)

WHEREAS, Philip Birnbaum, for Crescent Holding Corp., owner, filed September 20, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of two multiple dwellings having garages for more than three (3) motor

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vehicles; premises 77-15 to 77-35 113th street, south side, 77th avenue, north side, 78th avenue from 113th street to 113th place (Grand Central parkway extension), Forest Hills, Borough of Queens, Entire Block); and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Central parkway (113th place) and 113th street are in residence use districts; Queens boulevard is in a business use district, and 77th avenue and 78th avenue are in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings in acting on N.B. 5077-39 dated September 18, 1939, reads:

"Garage in a multiple dwelling at the above location must be referred to and approved by the Board of Standards and Appeals before further consideration can be given by this department.

Garage for more than 3 cars in a residence E district is contrary to Article 2 Section 3—subdivision 8 of the Building Zone resolution."

and
WHEREAS, the decision of the Borough Superintendent in acting on N.B. 5383-39 dated September 18, 1939, reads:

"Garage in a multiple dwelling at the above location must be referred to and be approved by the Board of Standards and Appeals before further consideration can be given by this department. Sec. 60, M. D. L.

Garage for more than 3 cars in a 'Residence E' district, is contrary to Article 2, Section 3, sub-division 8 of the Building Zone resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 470 ft. on 113th street, 200 ft. on 77th avenue and 200 ft. on 78th avenue; it is proposed to erect upon the site two (2) six-story multiple dwellings, each containing 84 apartments; each building having a frontage of 159 ft. 8 in. on 113th place; 198 ft. 8 in. on 113th street and a

depth of 133 ft. It is proposed to occupy the easterly section of the basement story of both units as a garage for more than three (3) motor vehicles. This garage space is for the use of tenants only, of the two respective multiple dwellings; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant has substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, in view of the permissive provisions of the Multiple Dwelling Law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21 thereof, so as to permit the proposed garages in the multiple dwellings, *on condition* that the requirements of Section 60 of the Multiple Dwelling Law are complied with in all respects, and that in all other respects the requirements of all laws, rules and regulations shall be complied with; that the mechanical ventilating system installed within the garages shall be so arranged as to provide not less than four changes of air per hour, and shall in no way be connected with the ventilating system of any other portion of the building, as required by Section 60 of the Multiple Dwelling Law; that the exhaust from such mechanical ventilating system shall be through the rear wall of the building toward Grand Central parkway; that the garage shall be separated from all other parts of the building and enterable only from the exterior; that the entrance door shall be an approved fire-proof door; that the sprinkler system shall be a one-source system complying in all respects with the sprinkler requirements of the Administrative Building Code; that all permits required shall be obtained, and all work involved completed, within six months from the date of this resolution.

* Correction—Address of premises corrected in digest and first paragraph of preamble.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood joisted floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELLIGOTT
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connec-
tion with which court proceedings are pending or in
progress, unless exception is granted by the chairman, nor
accepted which is not filed within thirty days from the date
of the action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the
rules of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commis-
sioner of buildings or fire commissioner) and file with this
board a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to February 20, 1940.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
175-40-SM.....		"Everbrite" Stainless Steel Flue Pipe, manufactured by Juniper Elbow Company, Inc., Material.
176-40-A....	H.B.Q.....	14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens, Decision—re N.B. 2351-38 and Viol. 2958-39.
177-40-BZ....	H.B.Q.....	17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens, N.B. 676-40.
178-40-A.....	F.D.....	2914-2916 Third avenue, east side, 81 ft. 3 in. south of East 152nd street, and 607 Bergen avenue (Block No. 2362, Lot No. 13), Borough of The Bronx, Decision—re 2645-L.F.
179-40-BZ....	H.B.B.....	92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn, Alt. 2652-39.
180-40-A.....	F.D.....	42-09 162nd street, east side, 89.21 ft. south of Sanford avenue (Block No. 5393, Lot No. 115), Flushing, Borough of Queens, Decision—re 81938-C.
181-40-BZ....	H.B.Q.....	71-43 Cypress Hills street, east side, 80 ft. north of Myrtle avenue (Block No. 3675, part of Lot No. 17), Ridgewood, Borough of Queens, Misc. Applic. 1035-40.
182-40-A.....	F.D.....	573-577 Sackett street, east side, 100 ft. north of Third avenue (Block No. 426, Lot No. 36), Borough of Brooklyn, 4026 L.F.
183-40-BZ....	H.B.Bx...	Southeast corner of Broadway and West 237th street (Block No. 3270, Lot No. 12), Borough of The Bronx, N.B. 1162-39.

184-40-A.....	H.B.M.....	49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan, Alt. 2300-39.
185-40-SM.....		Climax Air Break Water Filling Device (for Sterilizers), manufactured by The Hospital Supply Company, Material.
186-40-A.....	H.B.B.....	9277-9289 Shore road and 1-29 93rd street, northeast corner (Block No. 6100, Lot No. 1), Borough of Brooklyn, N.B. 3260-39.
187-40-A.....	F.D.....	44-62 Nostrand avenue, west side, 232 ft. 5 in. south of Flushing avenue, 502-508 Flushing avenue and 1-41 Sanford street (Block No. 1718, Lot No. 15), Borough of Brooklyn, 82270-L.C.
188-40-A.....	H.B.R.....	Northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond, Alt. 9-40.
189-40-BZ....	H.B.M.....	150-152 Ridge street, east side, 125 ft. north of Stanton street (Block No. 345, Lot Nos. 39 and 40), Borough of Manhattan, Drop Curb Applic. 9-40
190-40-SA.....		Ritter Dental Cuspidor, Model B, Appliance.
191-40-A.....	H.B.M.....	148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan, Decision—re Certificate of Occupancy.
192-40-SM.....		"Tight-wall Brick", manufactured by John A. Poroma, Material.

Restored to Calendar.

746-38-SA.....		Bennett Pumps for Motor Fuels, No. 540, series, Appliance.
426-38-SA.....		Arcoflame Oil Burner, Model L, Appliance.
1024-39-A.....	F.D.....	156-158 Perry street, south side,

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60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan, 18412-C.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On February 20, 1940, petition and order of certiorari were served on the Board, by Messrs. Wikler, Gottlieb and Wikler, attorneys, on behalf of Tryon Park Realty Corp., objector in the case Cal. No. 148-35-BZ, in re decision of Board on January 3, 1940, affecting premises 168-170 Dyckman street, Borough of Manhattan.

COURT DECISION.

In re Hanover Service Station, Inc. (Murdock)—On June 7, 1938, Board denied gasoline station, partly in residence and partly in business district, under section 21, Cal. No. 224-38-BZ, premises 82-11 to 32-19 Cross Island boulevard and 198-05 to 198-09 33rd avenue, Bayside, Borough of Queens. Board's decision was reversed by Mr. Justice Nova (N.Y.L.J., January 30, 1939). Appellate Division (2nd Dept.) reversed Special Term on the law, stating—"There was no showing before the board of any facts constituting practical difficulties or unnecessary hardship within the meaning of section 21 of the Building Zone Resolution and adjudications thereunder." (N.Y.L.J., February 20, 1940).

RULES

		Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	Jan.	16, 1940—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb.	6, 1940—Vol. 25, No. 6
Fire Alarm Rules (Interior).....	Sept.	12, 1939—Vol. 24, No. 37
Fire Drill Rules	Nov.	21, 1939—Vol. 24, No. 47
Fire Retarding Rules for Garages, etc.	Feb.	20, 1940—Vol. 25, No. 8
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug.	15, 1939—Vol. 24, No. 33
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Oct.	3, 1939—Vol. 24, No. 40
Oil Burner Rules	Jan.	30, 1940—Vol. 25, No. 5
Opening Protective Assemblies, Rules for Inspection of	Dec.	5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spraying Rules	Nov.	14, 1939—Vol. 24, No. 46
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply).....	Nov.	7, 1939—Vol. 24, No. 45
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Oct.	10, 1939—Vol. 24, No. 41
Smoking in Factories, Rules for	Feb.	6, 1940—Vol. 25, No. 6
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov.	21, 1939—Vol. 24, No. 47

Fuel Oil Burners for Domestic and Commercial Use	Aug.	29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Oct.	3, 1939—Vol. 24, No. 40
Fuel Oil Burners for Industrial Use	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Jan.	23, 1940—Vol. 25, No. 4
Gas Heaters	Aug.	29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov.	14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov.	7, 1939—Vol. 24, No. 45

FEBRUARY 20, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 20, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 546-39-BZ—Application, May 2, 1939, under section 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Krikwen Realty Company, Inc., owner (Gulf Oil Corporation, lessee), to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage; premises 213-223 East 125th street, north side, 135 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan.

CAL. NO. 212-36-BZ—Application of Charles H. Bellows, applicant, on behalf of Estate of John E. Miller, owner (Joseph Rossi, lessee), reopened October 3, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board); premises 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

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CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 20, 1939, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station (previously withdrawn); premises 139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1154-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Oscar J. Haig, applicant, on behalf of Rosa Lanza, William R. Close and Lavinia Close, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a multiple dwelling; premises east side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens.

CAL. NO. 1389-39-BZ—Application, November 13, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue, and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 92-36-BZ—Application of Hirsh, Newman, Reass and Becker, applicants, on behalf of Consolidated Biological Products, Inc., owner, reopened July 5, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board); premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1940, 2 P. M.

Appeals from Administrative Decisions.

1312-39-A—East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (Block No. 3381, Lot No. 41), St. Albans, Borough of Queens (Under Section 35, General City Law. re: Bed of Mapped Street).

26-40-A—545 West 20th street and 120-126 Eleventh avenue, northeast corner (Block No. 692, Lot No. 7), Borough of Manhattan.

161-40-A—3-9 West 34th street, north side, 150 ft. west of Fifth avenue, and 4-16 West 35th street (Block No. 836, Lot No. 26), Borough of Manhattan.

136-40-A—875-877 Fifth avenue and 2-4 East 69th street, southeast corner (Block No. 1383, Lot Nos. 69 to 72, inclusive), Borough of Manhattan.

186-40-A—9277-9289 Shore road and 1-29 93rd street, northeast corner (Block No. 6100, Lot No. 1), Borough of Brooklyn.

FEBRUARY 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, February 23, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1415-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

CAL. NO. 1416-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1417-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corpora-

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tion, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

CAL. NO. 1418-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, to permit in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business

use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 1356-39-BZ—Application, November 1, 1939, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Willess Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.

CAL. NO. 190-19-BZ—Application of Interborough Engineering Company, applicant, on behalf of Joseph Lau, owner (Lau Motors, lessee), reopened May 9, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn.

CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

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CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brighton court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 1175-39-BZ—Application, September 25, 1939, under section 7h of the building zone resolution, of Abraham J. Halprin, applicant, on behalf of Sears Roebuck & Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

CAL. NO. 1362-39-BZ—Application, November 6, 1939, under sections 7h and 21 of the building zone resolution, of Charles W. Van Keuren, applicant, on behalf of Norma McCormack, owner (Joseph McLaughlin and Isidore Paley, lessees) to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 69 and 73), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 120-39-BZ—Application, February 2, 1939, under section 21 of the building zone resolution, of Charles Hofmann, applicant and lessee, on behalf of Cecelia Hofmann, owner, to permit in a business use district, the maintenance of a motor vehicle repair shop in part of an existing building; premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond.

CAL. NO. 105-40-BZ—Application, January 29, 1940, under

section 21 of the building zone resolution, of William Wilson Carpet Cleaning Service, Inc., applicant, on behalf of 650 Tiffany Street Corporation, owner, to permit in a business use district, the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage, and garage for five (5) motor vehicles; premises 650 Tiffany Street, east side, 350 ft. north of Randall avenue (Block No. 2765A, Lot No. 123), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 2 P. M.

Appeals from Administrative Decisions.

45-40-A-WF—103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens.

187-40-A—44-62 Nostrand avenue, west side, 232 ft. 5 in. south of Flushing avenue. 502-508 Flushing avenue and 1-41 Sandford street (Block No. 1718, Lot No. 15), Borough of Brooklyn.

62-40-A—9 Second avenue, west side, 70 ft. south of East First street (Block No. 456, Lot No. 7), Borough of Manhattan.

184-40-A—49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan.

191-40-A—148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan.

202-40-A—25-53 West 48th street, north side, and 26-52 West 49th street, south side, 237 ft. 7½ in. east of Sixth avenue (Block No. 1264, Lot No. 10), Borough of Manhattan.

188-40-A—Northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond.

117-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

118-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

120-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

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Variations of the Labor Law.

119-40-S—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

121-40-S—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

MARCH 1, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, March 1, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 272-39-BZ—Application of City Bank and Farmers Trust Company, applicant and owner, reopened for rehearing February 14, 1940—re order of the court—re Application, previously denied by the Board, under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre; premises 645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.
HARRIS H. MURDOCK, *Chairman*.

MARCH 5, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 5, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 735-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Horace Ginsbern, applicant, on behalf of 179 Seventh Avenue Company, Inc., owner, to permit partly in a retail use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160 West 21st street, south side, 85 ft. east of Seventh avenue and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of

Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 1446-39-BZ—Application, November 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Suburban Holding Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis (Cross Island) boulevard and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevius street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MARCH 5, 1940, 2 P. M.

Appeal from Administrative Decision.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

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Appeals from Administrative Decisions.

71-40-A—135-163 East 95th street, 743-765 Lexington avenue, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan.

208-40-A—14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan.

217-40-A—930-933 Fifth avenue and 1-3 East 74th street, northeast corner (Block No. 1389, Lot Nos. 1, 2, 4 and 5), Borough of Manhattan.

234-40-A—20-22 West 39th street, south side, 303 ft. west of Fifth avenue (Block No. 840, Lot Nos. 60 and 61), Borough of Manhattan.

220-40-A—1651 Zerega avenue, south side, 72.57 ft. east of Maclay avenue (Block No. 3991, Lot No. 78), Borough of The Bronx.

212-40-A—28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens.

Variation of the Labor Law.

238-40-S—2493 Fulton street, north side, 254.5 ft. west of Broadway (Block No. 1547, Lot No. 25), Borough of Brooklyn.

MARCH 8, 1940, 10 A. M.

Material Submitted for Approval

830-39-SM-NYK-A and NYK-B One-Hour Metal-Covered Fire Doors, approval of.

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to

permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 12, 1940, 2 P. M.

Appeals from Administrative Decisions.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

81-40-A—128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57½), Borough of Manhattan.

224-40-A—385 Gerard avenue, southwest corner of East 144th street (Block No. 2349, Lot No. 90), Borough of The Bronx.

198-40-A—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.

1491-39-A—30-02 to 31-20 Star avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296,

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Lot No. 51), Long Island City, Borough of Queens.

29-40-A—154-170 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan.

222-40-A—124 East 70th street, south side, 120 ft. west of Lexington avenue (Block No. 1404, Lot No. 62), Borough of Manhattan.

1212-39-A—334-336 East 48th street, south side, 175 ft. west of First avenue, and 335-339 East 47th street (Block No. 1340, Lot Nos. 31, 34 and 35), Borough of Manhattan.

249-40-A—18-26 East End avenue and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan.

219-40-A-WF—41-01 to 41-05 Lawrence street, southeast corner of 41st avenue (Block No. 5039, Lot No. 8), Flushing, Borough of Queens.

232-40-A—65-74 Saunders street, south side, 100 ft. west of 66th avenue (Block No. 3087, part of Lot No. 25), Forest Hills, Borough of Queens.

87-40-A—36-05 to 36-15 36th avenue, northwest corner of 37th avenue (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens.

MARCH 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 328-39-BZ—Application, March 15, 1939, under section 7h of the building zone resolution, of Joseph Sliva, applicant and lessee, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 1307-39-BZ—Application originally filed October 24, 1939, amended application, March 6, 1940, under section 21 of the building zone resolution, of Joseph J. Furman, applicant, on behalf of Peter Schmuck and 346 West 44th Street Realty Corporation, owners, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and, also, the

omission of the required rear yard (amended as to application for use of part of premises for parking and storage of more than five (5) motor vehicles); premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 55), Borough of Manhattan.

CAL. NO. 1322-39-BZ—Application, October 26, 1939, under section 7h of the building zone resolution, of William I. Hohausser, applicant, on behalf of Clinton Estates, Inc., to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

CAL. NO. 1463-39-BZ—Application, November 30, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Temple Gates of Prayer (also known as Congregation Shaari Tefilla), owner, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities; premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

CAL. NO. 1468-39-BZ—Application, December 2, 1939, under sections 7a and 7e of the building zone resolution, of Harry B. Lindberg, applicant, on behalf of Borden's Farm Products Division of The Borden Company, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

CAL. NO. 1236-39-BZ—Application, October 10, 1939, under section 7h of the building zone resolution, of Robert J. Reiley and Charles C. Reiley, applicants and owners (Otto A. Bradman and John Resto, lessees), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

CAL. NO. 1426-39-BZ—Application, November 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Leon G. Wertheimer, owner, to permit in a business use dis-

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strict the erection and maintenance of a gasoline service station; premises 331 Morris Park avenue, northeast corner of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 26, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 502-32-BZ—Application of Lama and Proskauer, applicants, on behalf of C. J. A. Realty Corporation, owner, reopened February 14, 1940, for consideration as to extension of time to complete work—re Application, previously granted on condition, under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

CAL. NO. 17-40-BZ—Application, January 5, 1940, under section 7h of the building zone resolution, of Max Siegel, applicant, on behalf of Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district

the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1411-39-BZ—Application, November 16, 1939, under section 21 of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of Alfonzina Giogrande, owner, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

CAL. NO. 100-40-BZ—Application, January 27, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of Celia H. Seelig, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

CAL. NO. 1334-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Austin W. Magee and A. Stanley Miller, applicants, on behalf of Bettina Franzese, owner (Paul Travis, lessee), to permit in a business use district the alteration and change of occupancy of an existing building to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-

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35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32). Hollis, Borough of Queens.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

MARCH 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APRIL 9, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubritory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58). Borough of Brooklyn.

HARRISH. MURDOCK, *Chairman*.

APRIL 16, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING.

TUESDAY AFTERNOON, FEBRUARY 13, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

APPEAL FROM ADMINISTRATIVE DECISION.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, for Department of Housing and Buildings, Borough of Brooklyn.

OWNERS—William and Anna Crystal.

LESSEE—Samuel Budoff.

SUBJECT—Appeal for the revocation of Certificate of Occupancy No. 66349 and Permit No. 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman, Henry Kaufmann, Mrs. M. Martin, M. Martin, Mrs. H. Rudtner, Mrs. Barbara Manges, Mrs. A. Mikalaus, George Hempfling, Mrs. A. Silinis and others.

For Opposition: Harvey L. Strelzin, Anna Crystal, William Crystal, Samuel Budoff and others.

ACTION OF BOARD—Laid over for decision.

Adjourned, 5:50 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

WEDNESDAY MORNING, FEBRUARY 14, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on

MINUTES

Tuesday morning, January 16, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, January 16, 1940, were approved as printed in Bulletin No. 4, Vol. 25.

BUILDING ZONE CASES.

1318-39-BZ.

APPLICANT—Matthew W. Del Gaudio, for Anna Palermo, Anna Shields and Laura L. Dudley, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—8917 - 8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn).

APPEARANCES—

For Applicant: M. W. Del Gaudio.

For Opposition: Malcolm D. Perkins.

ACTION OF BOARD—Laid over to February 27th, 1940, 10 A.M., on request of applicant.

1423-39-BZ.

APPLICANT—Lama and Proskauer, for Estate of Esther M. Kornblum, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2102-2124 Avenue Z, southeast corner of East 21st street (Block No. 7441, Lot No. 371), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Anthony L. Aste, Casper B. Ughetta, John J. Flannery and others.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

272-39-BZ.

APPLICANT—Samuel Levy, for City Bank and Farmers Trust Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar by order of Court—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre (previously denied by the Board).

PREMISES AFFECTED—645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Levy.

For Opposition: None.

ACTION OF BOARD—Application reopened and set for hearing March 1, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

428-37-BZ.

APPLICANT—James Newell (lessee), for 870 Eighth Avenue Corporation, Board of Transportation,

City of New York and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—870 - 884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3, 63 and 161), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle.

For Opposition: Harry Greenberg and John M. Cannella.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(428-37-BZ)

WHEREAS, James Newell (lessee), for 870 Eighth Avenue Corporation, Board of Transportation, City of New York, and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners, filed September 1, 1937, an application under the building zone resolution, to permit in a retail use district, for a temporary period of two (2) years, the parking of more than five (5) motor vehicles; premises 870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3, 63 and 161), Borough of Manhattan; and

WHEREAS, this application was granted by the Board November 22, 1938, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, the area of the plot on which a variance was granted to permit transient parking on November 22, 1938, has been reduced by the elimination of Lots 1 and 2, and the owner thereof has requested that the resolution be amended so as to eliminate those lots; and

WHEREAS, court action to review the denial of the Board to amend the resolution so as to permit an entrance from Eighth avenue has been discontinued by stipulation.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 22, 1938, so that as amended the resolution shall read:

"Granted, under Section 7, subdivision h, of the building zone resolution, *for a period of two (2) years from November 22, 1938*, to permit the plot under appeal, excluding lots 1 and 2, located at the northeast corner of 8th avenue and 52nd street, having a frontage of 40 ft. 5 in. on 8th avenue and a depth of 70 ft., to be occupied for transient parking of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that all existing buildings, fences and signs shall be entirely removed, and no new building erected, except that there may be erected near the entrance at West 53rd street, a building which may be of frame construction, not exceeding one story in height, and not over 150 sq. ft. in area, as an office and shelter for the attendant; that the plot shall be levelled substantially to the grade of West 53rd street and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting and graded to provide surface drainage; that on the interior lot lines, except where walls of adjoining buildings occur, there shall be constructed a substantial woven-wire fence not less than 6 ft. in height; that a similar type of fence

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shall be erected on the street line of 8th avenue and on West 53rd street, except for the entrance to West 53rd street not over 20 ft. in width with curb cut opposite not exceeding similar width; that there shall be no openings to adjoining areas; that any curb cuts now existing, other than those herein permitted, shall be restored; that ample aisles shall be maintained at all times for exits and entrances; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that during the term of this permit the premises shall be used for no other purposes than as herein permitted; that no sign shall be erected on the premises or walls of adjoining premises, except that there may be erected at the entrance herein permitted to West 53rd street a non-illuminated sign attached to the fence, advertising the parking use, provided such sign does not exceed an area of 15 sq. ft. and does not extend beyond the building line; that any lights for general illumination shall be arranged on post standards with metallic reflectors, so arranged as to reflect towards the premises and away from the adjoining occupancies; that all permits shall be obtained and all work shall be completed within three months from the date of this amended resolution.

562-37-BZ.

APPLICANT—Frank G. Burger, for Foggin-Burger Land Company, Inc., owner.

SUBJECT—Application reopened December 5, 1939 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the extension of an existing business building and, also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Carl G. Isaacs, J. M. Fainer and Frank B. Sterner.

For Administration: John J. O'Kiefe, Department of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(562-37-BZ)

WHEREAS, an application was filed to permit in a residence use district the maintenance of an open shed as an extension of an existing store use; premises 1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond; and

WHEREAS, this application was granted by the Board March 25, 1938, on certain conditions, and applicant requested a reopening of the application under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use and partly in a business use district, the extension of an existing business building and, also, the parking of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board December 5, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Castleton avenue is in a business use district; DeGroot place is in a residence use dis-

trict; Dongan street and Taylor street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings re Alt. Applic. No. 355-1939, dated November 22, 1939, and as amended on January 22, 1940, reads:

"1. Contrary to the Zoning Resolution, Sec. 3 to extend a building for a business use into a residence use district.

2. Contrary to the zoning resolution, Sec. 4(a) (15) to park more than five motor vehicles on a vacant space in a business use district.

Application therefore denied for the above two items." and

WHEREAS, the premises consist of a plot of ground having a frontage of 101 ft. and a depth of 150 ft. The rear of the plot for a distance of 50 ft. extends into the residence use district, and the remainder of the plot is in a business use district; upon the plot there is located a one-story non-fire-proof building, 60 ft. by 99 ft. in area occupied as a store; it is proposed to extend the area of the existing store building by the erection of a one-story structure 100 ft. by 51 ft. in area, and, also, to occupy the vacant portion of the plot for parking of more than five (5) motor vehicles; and

WHEREAS, the applicant has requested an amendment of the resolution to permit construction of an extension within the residence use district and to permit transient parking of automobiles of the owner and customers.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 25, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation of the application use district regulations, and that the application be and it hereby is granted, under section 7-c, permitting the construction and use of the existing shed as indicated on plans filed with this appeal, on condition that this shed within the residential district shall be used for storage only in connection with the occupancy of the store by Sears, Roebuck & Co.; that there shall be erected on the interior lot lines within the residential district, a masonry wall not less than 6 ft. in height, continuously from the corner of the storage shed to the rear line and along the entire rear line and on the westerly interior line for a distance of at least 50 ft. from the rear line; that the rear yard shall be properly graded and drained and may be used for loading and unloading merchandise in connection with the store occupancy; that no parking shall be permitted on the premises other than the automobiles owned by the Sears, Roebuck & Co. or their employees or customers, for which no fee for parking shall be charged; that the structure within the residential district shall not be further increased in height or area.

Resolved further, that in the event the owner desires to construct within the residential use area an extension of the building to the full width of the lot and for a depth of approximately 51 ft., substantially as shown on revised plans marked received 'January 19, 1940', such construction may be permitted, on condition that the proposed extension shall be for use in conjunction with the store occupancy of the present building; that such extension shall not exceed one story in height; that there shall be no windows or other openings on the interior lot lines; that there shall be constructed on the interior lot line to the west from the lot line wall of such proposed addition to Castleton avenue, a substantial masonry wall not less than 6 ft. in height; that a similar wall shall be erected along the frontage of Castleton avenue from the westerly lot line to the existing building, except for an opening therein to Castleton avenue, not exceeding 15 ft. in width, with curb cut opposite of similar width; that such space, so enclosed between Castleton avenue and the proposed extension, may be occupied for the transient parking of automobiles belonging to the tenant or his customers; that all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

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1051-39-BZ.

APPLICANT—Joseph Villano, for Joseph Villano and Sabbatina Villano, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of ten (10) individual garages not an accessory use to a dwelling on the same plot.

PREMISES AFFECTED—2415 Wallace avenue, west side, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. Manrielli.

For Opposition: Ruth Spatz, Mrs. A. Sheirowitz and H. Blumenthal.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(1051-39-BZ)

WHEREAS, Joseph Villano, for Joseph and Sabbatina Villano, owners, filed August 18, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the maintenance of ten (10) individual garages, not an accessory use to a dwelling on the same plot; premises 2415 Wallace avenue, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Waring avenue, Wallace avenue and Holland avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, on N.B. Application No. 472-1939, dated July 18, 1939, reads:

"1. Proposed erection of garages not an accessory use to a dwelling on the same plot, is contrary to Article 2, Section 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 100 ft., upon which are located a group of ten (10) individual garages; it is proposed to maintain and rent these ten (10) individual garages; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution, for a temporary period of two years.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7f thereof, for a period of two (2) years from the date of this resolution, to permit the occupancy of the existing single-car garages, *on condition* that no additional garages shall be constructed and that the existing buildings shall meet all requirements of all laws, rules and regulations relating to such occupancy; that no signs shall be erected on the premises; that the premises shall be used for no other use than that herein permitted, as private garages for storage of passenger vehicles; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

1199-39-BZ.

APPLICANT—Emil Koeppel, for Alfonso Furibondo, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the extension of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—385 Douglass street, north side, 290 ft. west of Fifth avenue (Block No. 943, Lot Nos. 59 and 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emil Koeppel.

For Opposition: Jean Restaino, Clara De Rosa, Charles J. Beckinella, Angelo Sessa, Antoinette Maio, Mrs. W. Fredeskoo, Mrs. L. M. Hoyle, Mrs. A. Brienza, Henry Sullivan and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1199-39-BZ)

WHEREAS, Emil Koeppel, for Alfonso Furibondo, owner, filed September 29, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the extension of a garage for more than five (5) motor vehicles; premises 385 Douglass street, north side, 290 ft. west of Fifth avenue (Block No. 943, Lot Nos. 59 and 60), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Butler street, Douglass street, Fourth and Fifth avenues are in business use districts; and

WHEREAS, the decision of the borough superintendent, on Alt. Application 590-39, dated September 18, 1939, reads:

"Proposed extension to a public garage in a business use district is contrary to Art. II, Sec. 4a of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 100 ft. upon the west portion, on which is located a one-story public garage having a frontage of 20 ft. and a depth of 100 ft.; upon the front of the east portion of the plot there is located a brick wall (with door in same) with a short return along the east lot line; it is proposed to remove the east wall of the present building and erect a one-story extension 20 ft. by 100 ft. in area and to occupy the entire structure as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1245-39-BZ.

APPLICANT—Victor Mayer, for Ojar Holding Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an unrestricted use district and, also, "B" area

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district, the erection and maintenance of a fire tower in a required rear yard.

PREMISES AFFECTED—213-217 East 37th street, north side, 180 ft. east of Third avenue (Block No. 918, Lot Nos. 10, 11 and 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Victor Mayer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(1245-39-BZ)

WHEREAS, Victor Mayer, for Ojar Holding Corporation, owner, filed January 9, 1939, an application under section 21 of the building zone resolution, to permit in an unrestricted use and also "B" area district, the erection and maintenance of a fire tower in a required rear yard; premises 213-217 East 37th street, north side, 180 ft. east of Third avenue (Block No. 918, Lot Nos. 10, 11 and 12), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 37th and East 38th streets are in unrestricted, business use and "B" area districts; Second and Third avenues are in business use and "B" area districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 18, 1939, reads:

"1. Proposed new stairway is an encroachment upon the required rear yard. Zoning Resolution Article IV, Sec. 12."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 29 ft. and a maximum depth of 95 ft. 9 in.; upon the plot there is erected an 8-story fireproof structure, occupied as a factory, 29 ft. by 95 ft. 9 in. in area on the 1st story and 29 ft. by approximately 85 ft. in area above; it is proposed to erect within the 10 ft. deep required rear yard, a fire tower, 10 ft. by 20 ft. 8 in. in area; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the applicant was entitled to relief under section 21 of the building zone resolution on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, to permit the construction of the fire tower stairway, as proposed, *on condition* that it does not occupy a greater area of the required rear yard than as shown on plans filed with this appeal; that the structure complies with the requirements of the building code and all other laws, rules and regulations applicable thereto, in all other respects; that such stairway may exit as shown through a fireproof passage to East 37th street, or to the private tunnel street, provided unimpeded exit from such stairway is permitted at all times; that all permits shall be obtained and all work completed within one year from the date of this resolution.

1286-39-BZ-WF.

APPLICANT—Benjamin Driesler, Jr., for Farmers Estates Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Paul Windels and Harper Woodward.

For Administration: Harold Klorfein, Park Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(1286-39-BZ-WF)

WHEREAS, Benjamin Driesler, Jr., for Farmers Estates Corporation, owner, filed on October 17, 1939, an application under the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles; premises 105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner, and 105-38 to 105-46 64th avenue (Block No. 2149, part of Lot No. 65), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 64th road, 64th avenue, 108th street and Yellowstone boulevard are in business and residence use districts; Aero place is in a business use district; and

WHEREAS, the decision of the borough superintendent, (Re Misc. Applic. No. 6896-39), dated September 25, 1939, reads:

"The use of these premises as a parking lot for more than five motor vehicles in a business district is contrary to Art. 2, section 4-a subdivision 15 of the Building Zone Resolution.

Also contrary to section 6 of the World's Fair resolution. Not further considered."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 106 ft. on 64th avenue, 376 ft. on 64th road and 336 ft. on Aero place; it is proposed to occupy the site for parking more than five (5) motor vehicles; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that it was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision h, of the building zone resolution, *for a term of two (2) years*, to permit the premises under appeal to be occupied for the parking and storage of more than five (5) automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked or stored; that the plot shall be levelled substantially to the grade of abutting streets and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the street lines and on the interior lot line

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where walls of adjoining buildings do not occur, a substantial wrought-iron fence with masonry posts, of a design and construction substantially as indicated on plans filed with this appeal; that such fence shall be not less than 6 ft. in height; that such enclosing fence shall be continuous except for two (2) entrances to 64th road, one entrance to 64th avenue and two entrances to Aero place, as indicated on plans filed with this appeal; that such entrances shall not exceed 15 ft. in width, with curb cuts opposite of similar width; that during the term of this permit the premises shall be occupied for no other use than as herein permitted; that no buildings shall be erected thereon, except that there may be erected a building as an office and shelter for attendant, provided such building does not exceed one story in height or 150 sq. ft. in area; that proper aisle space shall be maintained at all times for easy egress and ingress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no sign shall be erected, except that there may be a sign attached to the fence at each entrance, advertising the parking and storage use, provided such sign does not exceed 15 sq. ft. in area, and is not illuminated, and does not extend beyond the building line; that lights erected for general illumination shall be on post standards with metallic reflectors, so arranged as to reflect towards the center of the premises and away from adjoining residential occupancies, and that all permits shall be obtained and all work be completed within one year from the date of this resolution.

1287-39-BZ-WF.

APPLICANT—Benjamin Driesler, Jr., for Farmers Estates Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant. Paul Windels and Harper Woodward.

For Administration: Harold Klorfein, Park Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(1287-39-BZ)

WHEREAS, Benjamin Driesler, Jr., for Farmers Estates Corporation (H. D. Burchell, Pres.), filed October 17, 1939, an application under section 21 of the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises 64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner, and 105-02 to 105-26 64th avenue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 64th road, 64th avenue, 108th street and Yellowstone boulevard are in business and residence use districts; Aero place is in a business use district; and

WHEREAS, the decision of the borough superintendent of

buildings, re Misc. Applic. No. 6897, dated September 25, 1939, reads:

"The use of these premises as a parking lot for more than five motor vehicles in a business district is contrary to Art. 2 section 4 "A" sub-division 15 of the Building Zone Resolution.

Also contrary to section 6 of the Worlds Fair Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 270 ft. on 64th avenue, 200 ft. on Yellowstone boulevard and 336 ft. on Aero place; it is proposed to occupy the site for parking of more than five (5) motor vehicles; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h. of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7, subdivision h. of the building zone resolution, for a term of two (2) years, to permit the premises under appeal to be occupied for the parking and storage of more than five (5) automobiles, on condition that only automobiles of the pleasure-car type shall be so parked or stored; that the plot shall be levelled substantially to the grade of abutting streets and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the street lines, and on the interior lot line, a substantial wrought-iron fence with masonry posts, of a design and construction substantially as indicated on plans filed with this appeal; that such fence shall be not less than 6 ft. in height; that such enclosing fence shall be continuous except for two (2) entrances to 64th avenue and two (2) entrances to Aero place, with no entrances to Yellowstone boulevard; that such entrances shall not exceed 15 ft. in width with curb cuts opposite of similar width; that during the term of this permit the premises shall be occupied for no other use than as herein permitted; that no buildings shall be erected thereon, except that there may be erected a building as an office and shelter for attendant, provided such building does not exceed one story in height or 150 sq. ft. in area; that proper aisle space shall be maintained at all times for easy egress and ingress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no sign shall be erected, except that there may be a sign attached to the fence at each entrance, advertising the parking and storage use, provided such signs do not exceed 15 sq. ft. in area and are not illuminated, and do not extend beyond the building line; that lights erected for general illumination shall be on post standards with metallic reflectors, so arranged as to reflect towards the center of the premises and away from adjoining residential occupancies; that all permits shall be obtained and all work shall be completed within one year from the date of this resolution.

1293-39-BZ.

APPLICANT—Murray Klein, for A. L. M. Development Corporation, owner (Jack Koenig, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 1401-1407 Avenue M, northeast corner of East 14th street, and 1402-1406 Chestnut avenue (Block No. 6735, Lot No. 121), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Murray Klein and Maurice Yankiver.

For Opposition: Jerome A. Wanshel, Leon W. Schorr, H. S. Lewina, Ben Merin, R. Weintraub, Meyer Berfand, Morris Leibowitz and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(1293-39-BZ)

WHEREAS, Murray Klein (Jack Koenig, lessee), for A. L. M. Development Corporation, owner, filed October 18, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1401-1407 Avenue M, northeast corner of East 14th street, 1402-1406 Chestnut avenue (Block No. 6735, Lot No. 121), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Avenue M is in a business use district; East 14th street is in a business, residence and unrestricted use district; Chestnut avenue is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings (Application No. B.N. 6833-39) dated October 6, 1939, and as amended on January 16, 1940, reads:

"1. Proposed parking and storage of more than 5 cars in a business district is contrary to Art. II, Sec. 4, Para. 15, Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 73 ft. on Avenue M, 56 ft. on Chestnut avenue and 53 ft. on East 14th street; it is proposed to use the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board prior to hearing; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent, acting on Application No. B.N. 6833-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1392-39-BZ.

APPLICANT—Alfred A. Tearle, for 870 Eighth Avenue Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the Board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle.

For Opposition: Harry Greenberg.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1392-39-BZ)

WHEREAS, Alfred A. Tearle, for 870 Eighth Avenue Corporation, owner, filed November 9, 1939, an application under section 7h of the building zone resolution, to permit, partly in a business use and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, the Board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eighth avenue and Broadway are in retail use districts; West 52nd and West 53rd streets are in business, retail and residence use districts; and

WHEREAS, the decision of the borough superintendent, dated November 8, 1939, reads:

"In reply to your letter of November 8th, 1939, requesting an extension of time in which to appeal to the Board of Standards and Appeals in relation to our denial of your application for a certificate of occupancy for the use of the above premises for the parking and storage of more than five motor vehicles, we wish to advise you this department has no authority to grant such extension and our denial of September 26, 1939, is herewith repeated:

Your application dated September 19, 1939, for a certificate of occupancy for the use of the above premises for the parking and storage of more than five (5) motor vehicles has been denied for the reason that premises 870-72 Eighth Avenue and 269-71 West 52nd Street are located in a retail district and premises 265-67 West 52nd Street are located in a business district where the parking and storage of more than five motor vehicles is prohibited by Section 4 and Section 4 A of Article 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 128 ft. on West 52nd street, 70 ft. on Eighth avenue and a distance of 100 ft. along the east lot line; it is proposed to occupy the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; the Board previously granted a variation permitting the occupancy of part of the premises for parking and storage of more than five (5) motor vehicles under Cal. 428-37-BZ; and

WHEREAS, these premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion to grant, under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision h, of the building zone resolution, *for a term of two*

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(2) years, to permit the premises under appeal to be occupied for transient parking of more than five (5) automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the grade of West 52nd street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot lines, where walls of adjoining buildings do not occur, a substantial woven-wire fence, not less than 6 ft. in height, with metal posts, and with no openings to adjoining premises; that a similar fence shall be erected on the street building line of Eighth avenue and on West 52nd street continuously except for one entrance on West 52nd street, toward the easterly end, approximately 20 ft. from the adjoining lot to the east, which entrance shall not exceed 20 ft. in width, with curb cut opposite of similar width; that during the term of this permit the premises shall be occupied for no other use than as herein permitted; that no signs shall be erected, except that there may be erected a sign at the entrance attached to the fence and not extending beyond the building line advertising the transient parking use, provided such sign is non-illuminated and does not exceed 15 sq. ft. in area; that no building shall be erected on the plot, except for a building not over 150 sq. ft. in area as an office and shelter for attendant; that such building may be of frame, not exceeding one story in height; that any lights for general illumination shall be on post standards, so arranged with metal reflectors as to reflect toward the centre of premises and away from adjoining premises and occupancies; that such fire-fighting appliances shall be maintained as the fire commissioner shall direct; that proper aisles shall be maintained at all times for ready entrance and exit; that all permits shall be obtained and all work shall be completed within three months from the date of this resolution.

Adjourned, 12:20 A.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

WEDNESDAY AFTERNOON, FEBRUARY 14, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

555-27-BZ.

APPLICANT—Conroy and Hardy, for Elizabeth W. Herman, owner.

SUBJECT—Application for consideration—reopening and reconsideration under alleged new facts—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

502-32-BZ.

APPLICANT—Lama and Proskauer, for C. J. A. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision

of the superintendent of buildings), under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and set for hearing March 26, 1940 at 10 A.M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

75-40-BZ.

APPLICANT—Sidney L. Strauss, for Risap Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a business use (beauty parlor and barber shop).

PREMISES AFFECTED—752-758 West End avenue and 260 West 97th street, southeast corner (Block No. 1868, Lot No. 61), Borough of Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

279-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-10 28th avenue, south side, 75 ft. east of 41st street (Block No. 664, Lot No. 20), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Bertram J. Barrett.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(279-37-BZ)

WHEREAS, Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner, filed June 10, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles: premises 41-10 28th avenue, south side, 75 ft. east of 41st street (Block No. 664, Lot No. 20), Astoria, Borough of Queens: and

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WHEREAS, this application was granted by the Board February 8, 1938, for a temporary period of two (2) years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted February 8, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h thereof, for a period of two (2) years from the date of *amended resolution*, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that no cars shall be so parked or stored except pleasure vehicles; that the plot shall be graded substantially to the level of 28th avenue and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that there shall be erected on the street building line and on interior lot lines where walls of adjacent buildings do not occur and except for access to plot in the rear where temporary parking use has been granted under Cal. No. 236-37-BZ, a substantial fence with not more than one opening to this plot from 28th avenue, not exceeding 15 ft. in width, with curb cut opposite not exceeding 15 ft. in width; that during the continuance of this variance the plot shall be used for no other use than herein permitted; that no building shall be erected on the premises, except one, not exceeding one story in height and not exceeding 100 sq. ft. in area, for the sole use of the attendant on the property; that no signs shall be erected on the premises other than a neat sign at the entrance advertising the parking and storage use and the rates charged; that any lights for illumination shall be so arranged with metallic reflectors as to reflect toward the center of the plot and away from adjoining occupancies; that such portable fire extinguishers shall be installed as the administrative official shall direct; that all other buildings other than herein permitted now existing on the property shall be removed; that all permits shall be obtained and all work completed within three months from the date of this action."

416-38-BZ.

APPLICANT—Emanuel H. Jerabek, for Josephine Pokorny, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, permitting in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop.

PREMISES AFFECTED—162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel H. Jerabek.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative ...	0

THE RESOLUTION—

(416-38-BZ)

WHEREAS, Emanuel H. Jerabek, for Josephine Pokorny,

owner, filed May 27, 1938, an application under the building zone resolution, to permit in a business use district the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; premises 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board October 18, 1938, on certain conditions, resolution amended December 13, 1938; February 21, 1939, and October 10, 1939, and applicant requested a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on October 18, 1938, as amended December 13, 1938; February 21, 1939, and October 10, 1939, be and it hereby is further amended so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, to permit the existing gasoline station and automobile repair shop to be reconstructed and rearranged substantially as indicated on revised plans marked 'Received October 18, 1938,' *on condition* that all structures now existing on the premises shall be entirely removed; that the plot now used as a gasoline station shall not be further extended; that only one new structure shall be constructed, one and two stories in height, to be occupied on the ground floor for repair shop and garage for more than five (5) motor vehicles and on the second story as living quarters for the owner; that this building shall be constructed with brick walls and shall comply in all respects for a Class 3 building, except that the ceiling of the garage portion shall be fire-retarded with metal lath and $\frac{3}{4}$ -inch cement plaster throughout; that any exit from the second story shall be enclosed on the first story with walls or partitions of similarly fire-retarded construction on both sides and provided there is also installed within the first story, directly under the portion to be used for living quarters, sprinkler heads fed by a street tap, not less than 1 in. in diameter; that plans showing the layout of the sprinkler equipment shall be submitted to the Board for approval prior to filing with the borough superintendent; that in the event the owner desires to construct the floor under the portion to be occupied for residential purposes, of Class 1 construction in place of installing the fire-retarding and sprinkler system, as hereinbefore required, such construction may be substituted therefor; that any skylights in the rear portion shall be glazed with plain glass with screen over and under, with no skylight nearer than 5 ft. to any portion of the second story; that window frames and sash, door frames and doors may be of wood; that the entire plot shall be graded substantially to the grade of Fresh Meadow road, and where not occupied by walls and accessory buildings, such portion shall be cement paved; that on the interior lot lines there shall be erected a substantial woven-wire fence of the anchor post type, not less than 6 ft. in height, except where rear walls of accessory buildings occur; that gasoline pumps shall be erected not nearer than 10 ft. to the new street line of Fresh Meadow road; that curb cut entrances shall not exceed those now existing, which consist of two, one *forty* ft. in width and one *thirty* ft. in width, as covered by existing permits; that all signs shall be restricted to permanent signs attached to accessory building and to the globes of the gasoline pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated and advertising only the brand of gasoline sold, provided such sign does not extend beyond the building line for a distance of more than 4 ft.; that there shall be no parking or storage of cars on the property other than those being serviced; that no portable gasoline tanks shall be used on or from the premises, and that all permits shall be obtained and all work shall be completed within one year from

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December 13, 1938; that the plans marked 'Received February 7, 1939,' are hereby approved as to general location of the sprinkler heads, as above required in this resolution, but not requiring that the sprinkler requirements of the building code to be complied with as to automatic alarm or siamese connection.

Resolved, further, that in the event the owner desires to retain the building formerly used as a two-car metal garage at the rear of the premises to the north, such building may be permitted for a term of two (2) years, provided such building is used solely for the storage of household goods and tools and in no way connected with the operation of the gasoline station and garage; that the required cement paving may be omitted for a width of 10 ft. parallel to the southerly lot line, provided such space is planted and maintained as a garden, and a similar space, for a width of 20 ft. may be so maintained along the rear or westerly side."

"Resolved, further, that in the event the owner desires to install an additional gasoline storage tank, located substantially as indicated on plan marked 'Received February 14, 1940,' so as to make a total of three (3) such storage tanks, this additional gasoline storage tank may be installed provided it meets all requirements of the Administrative Code therefor."

1357-39-BZ.

APPLICANT—C. A. Sandblom, for New Era Management Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7c of the building zone resolution, permitting, partly in a residence use district and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre.

PREMISES AFFECTED—87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and 1925 Newbold Avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: C. A. Sandblom.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.	4
Negative	0

THE RESOLUTION—

(1357-39-BZ)

WHEREAS, Jacob J. Gloster, for New Era Management Corporation, owner, filed November 3, 1939, an application, under section 7c of the building zone resolution, to permit, partly in a residence use and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre; premises 87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx; and

WHEREAS, this application was granted by the Board January 16, 1940, on certain conditions, and applicant requested an amendment of the resolution,

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 16, 1940, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c thereof, to permit the extension of the proposed theatre and store building into the residence use district, substantially as proposed, on condition that the only door openings to

Newbold avenue shall be the emergency exits of the proposed theatre; that the wall of the building along Newbold avenue shall be constructed of face brick; that no signs shall be erected on any portion of the building within the residence use area, and any ventilating system required for the theatre shall be located within the business use area; that no windows shall be constructed within the residence use area on the lot line walls opening upon adjoining properties; that a portion of Newbold avenue opposite and adjacent to the plot under appeal shall be excavated to street grade for a width of not less than 12 feet to permit exit from the theatre through Newbold avenue to Virginia avenue; that a guard-rail shall be placed at the top of the rock along such exit passage; that all permits required shall be obtained and all work involved completed within one year from January 16, 1940."

"Resolved further, that in the event the owner desires to rearrange the building in accordance with the revised plan marked 'Received February 8, 1940,' such rearrangement may be permitted, on condition that the resolution adopted by the Board on January 16, 1940, shall be complied with in all other respects, and that no openings to Newbold avenue shall be constructed other than as thereunder permitted, except that there may be constructed an engineer's ladder for exit from the boilerroom, on condition that no unloading of fuel or removal of ashes or other refuse shall take place on Newbold avenue."

APPEALS FROM ADMINISTRATIVE DECISIONS
696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan Slepak.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to March 26, 1940, at 2 P.M., pending decision of Court of Appeals in Edwards v. Murdock.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan Slepak.

For Opposition: Nicholas F. Walsh.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to March 26, 1940, at 2 P.M., pending decision of Court of Appeals in Edwards v. Murdock.

26-40-A.

APPLICANT—Samuel A. Hertz, for Florence B. Sykes and Clarence W. Meyers, owners (National Maritime Union of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—545 West 20th street and

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120-126 11th avenue, northeast corner (Block No. 692, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant. Samuel A. Hertz and Henry W. Sykes.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to February 20, 1940, at 2 P.M., for further consideration by the Board.

45-40-A-WF.

APPLICANT—Isadore Paul for (Cleaners Realty Corporation and Kent Stores, Inc., lessees), Boan Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Milton Manheimer.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to February 27th, 1940 at 2 P.M.

1473-39-A.

APPLICANT—Alpine Petroleum Corporation, owner.

SUBJECT—Appeal from decisions—re orders of the fire commissioner—re Transportation and sale of gasoline in tank trucks (not of approved type), in New York City.

PREMISES AFFECTED—9-17 43rd avenue, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles J. Bendy.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief Walsh 4

THE RESOLUTION—

(1473-39-A)

WHEREAS, Alpine Petroleum Corporation, owner, filed November 29, 1939, an appeal from orders of the fire commissioner, affecting trucks used for the transportation of liquid petroleum products, stored at 9-17 43rd avenue, Long Island City, Borough of Queens; and

WHEREAS, order No. 18922-LC, issued by the fire commissioner on September 12, 1939, referring to applicant's truck No. 122, reads:

"An inspection of truck No. 122, with a Scott Tank, mounted on a Mack chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C-19-52.0-A, Part 1, Article 8, of the Administrative Code, of the City of New York, shows the following requirements necessary before a permit can be renewed:

1. Before a permit for this truck is re-issued, the applicant shall prove, by means of a hydrostatic test, of not less than five pounds to the square inch, in the presence of a representative of the Fire Commissioner, that each cover, valve, vent, screen or welded joint is tight. This test shall be made at least every twelve months and at such times as the Fire Commissioner may decide in the exercise of his discretion. Section 8.4.

2. Replace the missing fusible link at the automatic valve on the delivery outlet. Section 3.6.

3. Display the words 'GASOLINE DANGER' on front bumper, in letters not less than four (4) inches high by at least one-half 1/2 inch stroke. Section 28.2

4. Provide cartridge fuses of not more than 10 amperes. Section 19.3.

5. Provide self-locking covers with hinges which shall not open at more than 91° placed toward the cab. Section 7.2.

6. Make all covers liquid and vapor tight. Section 7.2.

7. Keep clean and clean the motor at all times. Section 21.1.

8. Display or mark the owner's name and address on both sides of the vehicle in letters and numerals not less than three (3) inches with at least a three-eighth (3/8) inch stroke, or on a brass plate not less than four (4) inches by six (6) inches which shall be permanently affixed to both sides of the truck. Section 28.3.

9. Replace wiring throughout truck including battery.

10. Repair battery box.

11. Replace cracked cradles.

12. Locate rear delivery valve, so that when it is discharging it will close manually on the dropping of door of control box. Section 3.5.

13. Provide vent caps with fusible soldered discs.

14. Repair or replace leaky rear valve."

and

WHEREAS, order No. 18923-LC, issued by the fire commissioner on September 12, 1939, referring to applicant's truck No. 106, reads:

"1. Before a permit for this truck is re-issued, the applicant shall prove, by means of a hydrostatic test, of not less than five pounds to the square inch, in the presence of a representative of the Fire Commissioner, that each cover, valve, vent, screen or welded joint is tight. This test shall be made at least every twelve months and at such times as the Fire Commissioner may decide in the exercise of his discretion. Section 8.4.

2. Provide self-locking covers with hinges which shall not open at more than 91° placed toward the cab. Section 7.2.

3. Make all covers liquid and vapor tight. Section 7.2.

4. Replace missing self-closing cover on fill opening of engine fuel tank. Section 21.1.

5. Repair or replace cushions in cab. Section 20.1.

6. Provide cartridge fuses of not more than 10 amperes. Section 19.3.

7. Repair or replace syphon breaker valve located at outlet of rear valve draining hose. Section 3.32.

8. Provide directional signalling devices of a type approved by the Commissioner of Motor Vehicles, State of New York. Section 20.1.

9. Repair or replace emergency cord and make same accessible. Section 3.5.

10. Provide adequate drainage and ventilation in bottom of control box. Section 5.4.

11. Display or mark the owner's name and address on both sides of the vehicle in letters and numerals not less than three (3) inches with at least a three-eighth 3/8 inch stroke, or on a brass plate not less than four (4) inches by six (6) inches which shall be permanently affixed to both sides of the truck. Section 28.3."

and

WHEREAS, order No. 18924-LC, issued by the fire commissioner on September 12, 1939, referring to applicant's truck no. 107, reads:

"1. Before a permit for this truck is re-issued, the applicant shall prove, by means of a hydrostatic test, of not less than five pounds to the square inch, in the presence of a representative of the Fire Commissioner, that each cover, valve, vent, screen or welded joint is tight. This test shall be made at least every twelve months and at such times as the Fire Commissioner may decide in the exercise of his discretion. Section 8.4.

2. Locate rear delivery valve, so that when it is dis-

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charging it will close manually on the dropping of the door of control box. Section 3.5. Syphon.

3. Replace rear mounting of tank with one of proper size.

4. Re-wire truck.

5. Provide self-locking covers with hinges which shall not open at more than 91° placed toward the cab. Section 7.2.

6. Make all covers liquid vapor tight. Section 7.2

7. Repair or replace cushions in cab. Section 20.1.

8. Replace the missing fusible link at the automatic valve on the delivery outlet. Section 3.6.

9. Display or mark the owner's name and address on both sides of the vehicle in letters and numerals not less than three (3) inches with at least a three-eighth $\frac{3}{8}$ inch stroke, or on a brass plate not less than four (4) inches by six (6) inches which shall be permanently affixed to both sides of the truck. Section 28.3.

10. Repair or replace leaking rear discharge valve.

11. Provide vent caps with fusible soldered discs."

and

WHEREAS, order No. 18938-L.C, issued by the fire commissioner on September 13, 1939, referring to applicant's truck No. 109, reads:

"1. Replace or repair syphon breaker. Section 3.7.

2. Provide adequate drainage and ventilation in bottom of control box. Sec. 5.4.

3. Provide self-locking covers with hinges which shall not open at more than 91° placed toward the cab. Section 7.2.

4. Make all covers liquid and vapor-tight. Section 7.2.

5. Before a permit for this truck is re-issued, the applicant shall prove, by means of a hydrostatic test, of not less than five pounds to the square inch, in the presence of a representative of the Fire Commissioner, that each cover, valve, vent, screen or welded joint is tight. This test shall be made at least every 12 months and at such times as the Fire Commissioner may decide in the exercise of his discretion. Section 8.4.

6. Provide cartridge fuses of not more than 10 amperes. Section 19.3.

7. Keep clean and clean the motor at all times. Section 21.1.

8. Repair battery box.

9. Provide vent caps with fusible soldered discs."

and

WHEREAS, order No. 18933-L.C, issued by the fire commissioner on September 13, 1939, referring to applicant's truck No. 101, reads:

"1. Install a fusible device which will fuse at 165 degrees F. on the door of control box. Section 5.4.

2. Provide self-locking covers with hinges which shall not open at more than 91° F., placed toward the cab. Section 7.2.

3. Make all covers liquid and vapor-tight. Section 7.2.

4. Before a permit for this truck is re-issued, the applicant shall prove, by means of a hydrostatic test, of not less than five pounds to the square inch, in the presence of a representative of the Fire Commissioner, that each cover, valve, vent, screen or welded joint is tight. This test shall be made at least every twelve months and at such times as the Fire Commissioner may decide in the exercise of his discretion. Section 8.4.

5. Locate rear delivery valve, so that when it is discharging it will close manually on the dropping of the door of the control box. Section 3.5.

6. Provide cartridge fuses of not more than 10 amperes. Section 19.3.

7. Display or mark the owner's name and address on both sides of the vehicle in letters and numerals not less than three (3) inches with at least three-eighths $\frac{3}{8}$ inch stroke, or on a brass plate not less than four (4) inches by six (6) inches which shall be permanently affixed to both sides of the truck. Section 28.3.

8. Provide vent caps with fusible soldered disc.

9. Repair or replace wiring to head and tail lights to cab and battery.

10. Repair or replace leaky main rear discharge valve."

and

WHEREAS, order No. 18989-L.C, issued by the fire commissioner on September 13, 1939, referring to applicant's truck No. 102, reads:

"1. Install a fusible device which will fuse at 165 degrees F on the door of the control box. Section 5.4.

2. Provide self-locking covers with hinges which shall not open at more than 91° placed toward the cab. Section 7.2.

3. Make all covers liquid and vapor-tight. Section 7.2.

4. Locate rear delivery valve, so that when it is discharging it will close manually on the dropping of door of control box. Section 3.5. Syphon Section 3.28 Gravity.

5. Keep clean and clean the motor at all times. Section 21.1.

6. Paint the tank body RED as specified for Fire Department use. Section 28.1.

7. Display the words 'GASOLINE DANGER' in English on both sides and rear of the tank in letters not less than ten (10) inches in height with at least a one and one-quarter ($1\frac{1}{4}$) inch stroke. Section 28.2.

8. Display the words 'GASOLINE DANGER' on front bumper, in letters not less than four (4) inches high by at least one-half inch stroke. Section 28.2.

9. Display or mark the owner's name and address on both sides of the vehicle in letters and numerals not less than three (3) inches with at least a three-eighth ($\frac{3}{8}$) inch stroke, or on a brass plate not less than four (4) inches by six (6) inches which shall be permanently affixed to both sides of the truck. Section 28.3.

10. Before a permit for this truck is re-issued the applicant shall prove, by means of a hydrostatic test of not less than five pounds to the square inch, in the presence of a representative of the Fire Commissioner, that each cover, valve, vent, screen or welded joint is tight. This test shall be made at least every twelve months and at such times as the Fire Commissioner may decide in the exercise of his discretion. Section 8.4.

11. Repair or replace wiring to head and tail light and in cab.

12. Repair battery.

13. Repair or replace rear main delivery valve."

and

WHEREAS, said orders were repeated in decisions of the fire commissioner, dated November 14, 1939; and

WHEREAS, the trucks referred to in the orders were described as follows:

Item 1:				Tank		Gallons	Motor	
Truck No.	Make	Year	Name	Size	Ton		No.	
101	Mack	1929	Scott	1500	7½		M	41-19
102	Mack	1930	Scott	"	"		BC	47-67
106	Mack	1934	Columbian	"	"		CF	16-97
107	Mack	1923	Scott	"	"			641-84
109	Mack	1933	Columbian	"	"		BC	561
122	Mack	1930	Scott	"	"		6 AB	363

and

WHEREAS, the applicant contends that it has already begun to comply with the orders and completed the work on truck; that to immediately comply with the orders, it would be necessary to take all the trucks off the street, which would result in the loss of business; that an extension of one (1) year is requested to comply with the orders, in order that the applicant's repair shop may have time to take one truck off the street at a time, and complete the work on it, which procedure would result in loss to the applicant of only 14% of its business rather than a complete loss, as required by the orders.

MINUTES

Resolved, that the orders of the fire commissioner, Nos. 18922-LC, 18923-LC, 18924-LC, 18938-LC, 18933-LC and 18989-LC be and they hereby are *affirmed* and that the appeal be and it hereby is *denied*.

1475-39-A.

APPLICANT—H. Rosenblum, for Etta Rosenblum, owner.
SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—234 East 54th street, west side, 260 ft. south of Linden boulevard (Block No. 4679, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. Rosenblum and Etta Rosenblum.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.	4
Negative	0

THE RESOLUTION—

(1475-39-A)

WHEREAS, H. Rosenblum for Etta Rosenblum, owner, filed December 4, 1939, an appeal from an order of the fire commissioner affecting premises 234 East 54th street, west side, 260 ft. south of Linden boulevard (Block No. 4679, Lot No. 19), Borough of Brooklyn; and

WHEREAS, Order No. 81615-LC, issued by the fire commissioner November 16, 1939, reads:

"Discontinue the manufacture and storage of alkali chlorates mixed with aluminum powder and other ingredients known as "Allura" Machineless Hair Waving Packs and the storage of the separate ingredients for the reason that it is the opinion of this department that said compound, the manufacture, storage and sale, is too hazardous to be carried on in the City of New York, C-19-11.0, Administrative Code."

and

WHEREAS, the building is 2 stories in height, 14 ft. by 58 ft. in area, of class 4 construction, on a lot 20 ft. by 100 ft. in area, located in a residence use C area district, erected in 1926 and occupied: Cellar—storage and manufacture of machineless hair waving packets; 1st floor and 2nd floor—1 family dwelling; and

WHEREAS, Certificate of Occupancy No. 40257 was issued September 15, 1926, permitting the occupancy of the new building as a one-family dwelling; and

WHEREAS, the applicant contends that depriving him of making and storing these packets would deprive him of a livelihood; that the packets in question are being stored by all beauty shops and by dealers in New York City.

Resolved, that Order No. 81615-LC of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the amount of potassium chlorate stored on the premises shall at no time exceed five pounds; that such material, until made up in packages containing other chemicals, shall be stored in a metal container; that after packages are completed, they shall be put up in tin containers or wrapped with sheet aluminum and stored in an approved metal container until delivered from the premises; that this home occupation may be permitted only so long as there is no advertising on the premises, and that the operation is carried on by the owner himself without hired assistants; that at no time shall there be more than 1,000 of the individual packages containing Allura Machineless Hair Wave lotion, weighing approximately $\frac{1}{4}$ oz. each, wrapped in aluminum foil not less than .001 gauge; that in all other respects the occupancy of the building shall meet the requirements of the building code therefor, and the manufacturing operation shall be carried on to the satisfaction of the fire commissioner; that such

portable fire-fighting appliances shall be installed as the fire commissioner may direct.

1487-39-A.

APPLICANT — Brooklyn Children's Aid Society, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Southeast corner of Fernside place and Edgemere avenue (Wavecrest Convalescent Home re—Beeman, Cheever and Brinkerhoff Houses); (Block No. 266, Lot No. 20), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Elliott W. Smith and Edward W. Macy.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.	4
Negative	0

THE RESOLUTION—

(1487-39-A)

WHEREAS, Brooklyn Children's Aid Society, owner, filed on December 7, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises southeast corner of Fernside place and Edgemere avenue (Block No. 266, Lot No. 20), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 28, 1939, on Misc. Applic. No. 3584-39, referring to the Brinkerhoff House, reads:

"The use of a frame building as a convalescent house is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent on Correspondence No. 155-39 and Misc. Applic. No. 3584-39, dated February 5, 1940, referring to Beeman House and Cheever House, reads:

"Your application for Certificate of occupancy for the Beeman House and the Cheever House of the Wavecrest Convalescent House at Far Rockaway, Borough of Queens, is hereby denied because you have been unable to establish prior use and the use of a frame building as as convalescent Home is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a large plot fronting approximately 1000 ft. on the easterly side of Fernside place, running through to Central avenue, upon which the three buildings in question have been erected; and

WHEREAS, the Brinkerhoff house is 3 stories (36 ft.) in height, 55 ft. by 55 ft. in area, of class 4 construction and occupied: Cellar—storage, no persons; first floor—convalescent house, 25 children and 2 members of the staff; second floor—storage, no persons; third floor—storage, no persons; this building is occupied during the summer months only; and

WHEREAS, the Beeman House is 2½ stories (35 ft.) in height, 55 ft. by 65 ft. in area, of Class 4 construction, and occupied as follows: Cellar—storage and boiler room, no persons; 1st floor—convalescent home, 17 children; 2nd floor—convalescent home, 11 children and 8 members of staff; attic—sleeping quarters for 7 members of staff; and

WHEREAS, the Cheever House is 2½ stories (33 ft.) in height, 85 ft. by 65 ft. in area, of Class 4 construction, and occupied as follows: Cellar—storage and boiler room, no persons; 1st floor—convalescent home, 17 children; 2nd floor—convalescent home, 25 children and 5 members of staff; attic—sleeping quarters for 9 members of staff; and

WHEREAS, the applicant contends that it has gone to ex-

MINUTES

tremes in taking precautions to reduce any fire hazard and has voluntarily exceeded State and City requirements for fire protection in the two buildings operated throughout the year (Cheever and Beeman House) including:

The employment of additional night watchman—one for each building (in addition to the head night nurse and 2 night nursing attendants on duty each night), the installation of an American District Telegraph hourly signal box in each building, in addition to watchmen's clocks.

An increase in the number of night attendants.

Additional fire-escapes and exits.

Additional exit lights.

Increased the number of large fire extinguishers to 38, water buckets to 14, sand pails to 3.

Built new chimney.

Inaugurated additional regular and most carefully worked out fire drills, the average exit time for clearing the buildings of 70 children with a staff of 43 persons (14 men) being 4 minutes, 29 members of staff (5 men and 24 women) sleep in these 2 buildings and 5 men sleep over laundry located 1/8 of a mile away and connected by telephone.

That these buildings were altered pursuant to plans and applications (Nos. 4664-4665-4666) approved August 7, 1935.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 3584-39 and Correspondence No. 155-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the buildings shall be occupied as set forth in this application and not in excess thereof; that the building shall not be increased in height or area; that additional buildings shall not be erected within 25 ft. of the three buildings which are the subject of this appeal; that the exits and the fire protection facilities and watchmen shall be maintained in accordance with statement filed with this appeal; that this variance shall continue only so long as the buildings are occupied for the purpose as set forth by the Brooklyn Children's Aid Society and subject to the supervision of the Welfare Department, the Department of Health and the Department of Hospitals of the City of New York; that plans showing existing conditions shall be filed with the borough superintendent of buildings.

1506-39-A.

APPLICANT—Harold Carlson, for Mary A. Klass, owner (Henri Food Products, Inc., lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—44-14 Astoria boulevard south, southwest corner of 45th street (Block No. 717, Lot Nos. 29 and 34), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Harold Carlson.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(1506-39-A)

WHEREAS, Harold Carlson (Henri Food Products, Inc., lessee), for Mary A. Klass, owner, filed December 15, 1939, an appeal from an order of the fire commissioner, affecting premises 44-14 Astoria boulevard south, southwest corner of 45th street (Block No. 717, Lot Nos. 29 and 34), Long Island City, Borough of Queens; and

WHEREAS, Order No. 80523-LC, issued by the fire commissioner June 27, 1939, reads:

"You are hereby notified that an inspection of the above premises used as non-storage garage, shows that

the following must be done before the permit requested by you can be issued:

3. Separate the boiler from the remainder of the building by an enclosure of solid masonry at least 8 inches in thickness. Entrance to boiler room to be from exterior of building only."

and

WHEREAS, the building is 2 stories (28 ft.) in height, 97.36 ft. by 114.68 ft. in area, of Class 1 construction, erected in 1938, located in a business use C area district and proposed to be occupied as follows: First floor—factory and garage, 20 persons; second floor—factory and office, 20 persons; not more than 5 light delivery trucks stored in the building. An affidavit to this effect has been filed with the borough superintendent. Certificate of Occupancy No. 59392 was issued July 1, 1938, for light manufacturing and offices; and

WHEREAS, applicant contends it is proposed to change the use of the shop room to garage for not more than 5 light delivery trucks; that no gasoline will be stored in the building; that the entire building will be of fireproof construction; that all doors between garage space and other parts of the building are kalamein; that the boiler room which comprises the only space in the cellar, is remote from the garage, and separated from that portion of the building with fireproof self-closing doors, and provided with an exit direct to the outer air.

Resolved, that the order of the fire commissioner, No. 80523-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the separation between the boiler room in the cellar and the 1st floor shall be as indicated on plans filed with the borough superintendent under Misc. Applic. No. 3753-39; that the exterior engineer's ladder from the boiler room shall be maintained and that on the 1st floor the stairway opening shall be protected with a fireproof self-closing door; that the portion of the 1st floor of the building in which open flames are maintained shall be separated from all other portions of the building by enclosing walls constructed of incombustible materials, with all openings therein protected by fireproof self-closing doors; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

1531-39-A.

APPLICANT—Sidney H. Kitzler, for E. V. Realty Corporation, owner (Williamsburg Flushing Steel & Iron Company, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—390-408 Morgan avenue and 370-416 Jackson street, southeast corner (Block No. 2887, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.....	4
Negative	0

THE RESOLUTION—

(1531-39-A)

WHEREAS, Sidney H. Kitzler, for E. V. Realty Corporation, owner, filed on December 22, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 390-408 Morgan avenue and 370-416 Jackson street, southeast corner (Block No. 2887, Lot No. 1), Borough of Brooklyn; and

MINUTES

WHEREAS, the decision of the borough superintendent, on N.B. Applic. 4-39, dated January 19, 1940, reads:

"1. Proposed change of thickness of parapet walls from 12" to 8" is contrary to 8.4.9.2 par. b. of Code."

and
WHEREAS, the building will be 2 stories (29 ft. 2 in.) in height, 50 ft. by 100 ft. in area at 1st floor, 50 ft. by 81 ft. 8 in. in area at 2nd floor, of Class 3 construction, located in an unrestricted use A area district and to be occupied: 1st floor—storage and loading of structural steel, 5 persons; mezzanine—office, 1 person; 2nd floor—custodian's apartment and director's office. The director's office on the 2nd floor will be occupied by 5 persons only on occasions of director's meetings; and

WHEREAS, Violation No. 5025-39 was issued November 1, 1939, for failure to comply with approved plans; and

WHEREAS, the applicant requests that 8-inch parapet walls be accepted in lieu of 12-inch parapet walls; and

WHEREAS, the applicant contends that the building was recently completed, and upon completion it was found that the contractor had erected 8-inch parapet walls contrary to the approved plans, which showed 12-inch parapet walls; that the contractor had no authority from the owner or the architect to make this substitution; that an amendment was filed resulting in the objection appealed from; that Section 8.4.2.5 permits the third story walls of a 3-story building and the second story walls of a two-story building to be 8-inch brick; that the second story walls of the building in question are constructed of 12-inch brick, which provides a better condition than the minimum thickness permitted by section 8.4.2.5; that section 8.4.2.7 permits the erection of roof structures of 8-inch brick; that in view of these facts a variation is requested from the strict requirements of section 8.4.9.2, so that the owner may be spared the unnecessary hardship of complying with the requirements of the code.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 4-39, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the parapet to be constructed of 8-inch masonry as proposed, *on condition* that in all other respects the requirements of the building code shall be complied with and that the building shall not be increased in height or area.

1533-39-A.

APPLICANT—Herman Blum, for Cooperdale Dairy Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851, Lot No. 51), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1533-39-A)

WHEREAS, Herman Blum, for Cooperdale Dairy Company, Inc., owner, filed on December 22, 1939, an appeal from an order of the fire commissioner, affecting premises 88-46 to 88-58 Cooper avenue, south side, 300 ft. west of Metropolitan avenue (Block No. 3851, Lot No. 51), Glendale, Borough of Queens; and

WHEREAS, when this appeal was called for hearing, no appearance was made on behalf of the applicant.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

13-40-A.

APPLICANT—Almancia Hall, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-33 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: John H. Fleming and John P. Werle.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh. 4

Negative 0

THE RESOLUTION—

(13-40-A)

WHEREAS, Almancia Hall, Inc., owner, filed January 5, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 112-33 167th street, north side, 100 ft. west of 114th avenue (Block No. 3088, Lot No. 36), Cedar Manor, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 7697, dated December 11, 1939, reads:

"To change the use in a residence district from club house to dance hall is prohibited by Sec. 6 of the Zone Law.

Reconsideration denied—12/11/39."

and

WHEREAS, the building is 2 stories (38 ft.) in height, 28 ft. by 70 ft. in area, of Class 4 construction, located in a residence use D area district, erected in 1927, and occupied as a Civic Hall, pursuant to certificate of occupancy No. 36139, issued May 24, 1298; and

WHEREAS, the applicant contends that the building was erected by the Alban Manor Civic Association, as a community meeting place and has been occupied by approximately a dozen community organizations as a home and club house; that the building has never been used as a dance hall, but that the community organizations use same for social affairs of the members; that the building will not be occupied as a public dance hall, but that it is necessary to secure a dance hall license for the present occupancy.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 7697, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall comply in all respects with all laws, rules and regulations applicable to such building and occupancy; that for any public functions held, for which payment is charged, such functions shall be solely for the benefit of those organizations which are part owners of Almancia Hall, Inc.

33-40-A.

APPLICANT—Arthur F. Winter, for Remsen Dock Company, Inc., owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3008-3010 Church avenue, south side, 85 ft. 2¾ in. east of Nostrand avenue (Block No. 4884, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas F. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(33-40-A)

WHEREAS, Arthur F. Winter, for Remsen Dock Company, Inc., owner, filed on January 9, 1940, an appeal from an order of the fire commissioner, affecting premises 3008-3010 Church avenue, south side, 85 ft. 23/4 in. east of Nostrand avenue (Block No. 4884, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 3684-LF, issued by the fire commissioner, December 6, 1940, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar, having at least one source of water supply, arranged and equipped as provided in Chapter 26, Art. 16, Admin. Code."

and

WHEREAS, the building is 1 story and penthouse (36 ft.) in height, 41 ft. 9 1/2 in. by 107 ft. 17 1/4 in. in area, of Class 3 construction, located in a business use C area district, erected in 1930, and occupied: cellar—stockroom and ordinary use, 2 persons; 1st floor—salesroom, 500 persons; penthouse—girls' room, 5 persons; and

WHEREAS, the applicant contends that the building is equipped with adequate exits and ventilation; that the room used for storage of baled paper is of fireproof construction; that the merchandise carried in the basement is common to the 5 and 10 cent store type of occupancy; that adequate aisle spaces are maintained in the basement; and the basement ceiling is fire-retarded; that all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, No. 3684-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch, and 1 1/2 inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply, and at the pumper inlet, so that all heads shall be under fire department control from sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

35-40-A.

APPLICANT—William Hyman, for Top Value Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—154-31 233rd street, east side, 150 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(35-40-A)

WHEREAS, William Hyman for Top Value Homes, Inc., owner, filed January 11, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 154-31 233rd street, east side, 150 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 9402-39, dated January 10, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Sect. 4.1.2 of B.C.

9. Wood beams less than 3" in thickness within the fire limits is contrary to Sect. 7.1 of B.C."

and

WHEREAS, the proposed building will be one story (12 ft. 6 in.) in height, 23 ft. 8 in. by 23 ft. 8 in. in area, of Class 4 construction, located in an undetermined use B area district, and occupied as a single family dwelling; and

WHEREAS, the applicant contends that the proposed building will be erected under title 1, section 3, of the National Housing Act, which authorizes mortgages not exceeding twenty-five hundred (\$2500) dollars; that this type of house will be sold for \$2750; that it will therefore be impossible to build these buildings of brick construction; that the nature of the location of the land makes it suitable only in inexpensive type of construction; that the walls will be stucco and metal lath; that the proposed floor beams will be of sufficient strength.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 9402-39, Objections 1 and 9, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the proposed building shall be for residential occupancy of single family only; that the building shall set back from the building line of 233rd street not less than 20 ft.; that the side yards shall be not less than 12 ft. on one side and 14 ft. 4 in. on the other side, exclusive of projections for entrance, stairways or chimney breast; that in all other respects the building shall comply with the requirements of the building code for a similar structure when erected outside the fire limits.

36-40-A.

APPLICANT—William Hyman, for Top Value Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—154-36 233rd street, west side, 101.18 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(36-40-A)

WHEREAS, William Hyman, for Top Value Homes, Inc., owner, filed January 11, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 154-36 233rd street, west side, 101.18 ft. south of Rockaway boulevard (Block No. 4740, part of Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on

MINUTES

N.B. Applic. No. 9401-1939, dated November 22, 1939, and reconsideration denied January 10, 1940, reads:

"1. The erection of a frame building within the fire limits in contrary to Sec. 4.1.2 of Building Code.

9. Wood beams less than 3" in thickness within the fire limits is contrary to section 7.1 of B.C."

and
WHEREAS, the proposed building will be one story (12 ft. 6 in.) in height, 23 ft. 8 in. by 23 ft. 8 in. in area, of Class 4 construction, located in an undetermined use B area district and occupied as a single family dwelling; and

WHEREAS, the applicant contends that the proposed building will be erected under title 1, section 3, of the National Housing Act, which authorizes mortgages not exceeding twenty-five hundred (\$2500) dollars; that this type of house will be sold for \$2750; that it will therefore be impossible to build this building of brick construction; that the nature of the location of the land makes it suitable only in inexpensive type of construction; that the walls will be stucco and metal lath; that the proposed floor beams will be of sufficient strength.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 9401-1939, Objections 1 and 9, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the proposed building shall be for residential occupancy only, and for single family; that the building shall set back from the building line of 233rd street not less than 20 ft.; that the side yards shall be not less than 11 ft. on one side and 5 ft. 4 in. on the other side, exclusive of projections for entrance, stairways and chimney breast; and that in all other respects the building shall comply with the requirements of the building code for similar structure when erected outside fire limits.

51-40-A.

APPLICANT—Theodore H. Vought, for Tachau and Vought, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—102 East 30th street, south side, 60 ft. east of Fourth avenue (Block No. 885, Lot No. 87), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore H. Vought.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(51-40-A)

WHEREAS, Theodore H. Vought, for Tachau and Vought, owners, filed January 15, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 102 East 30th street, south side, 60 ft. east of Fourth avenue (Block No. 885, Lot No. 87), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 3862-1939, dated December 26, 1939, reads:

"A1—Records of Housing Division indicate floor shown on plan as Basement to be a cellar. Use of cellar for living not legal. Cement floor for bathroom not acceptable. Not further considered."

and
WHEREAS, the building is 5 stories (60 ft.) in height, 20 ft. by 55 ft. in area, of Class 3 construction, located in a business use district, equipped with a sprinkler system in the hallways, and occupied since 1922 as follows: cellar—janitor's apartment and storage; 1st floor—office, 4 persons; 2nd, 3rd, 4th floors—2 apartments each floor; 5th floor—1 apartment; and

WHEREAS, the applicant contends that the room in question

is entirely above the level of the rear yard and the adjoining yard on the east and west; that the yard is approximately 19 ft. deep; that the building covers less than 75% of the lot, which is only 79 ft. deep; that the ceiling height and window areas are in excess of the requirements; and

WHEREAS, in the opinion of the Board the room in cellar in question cannot be occupied as it does not comply with the minimum requirements for depth of yard for occupancy of a cellar room under section 177 of the Multiple Dwelling Law and which law cannot be legally varied.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3862-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

73-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-13, 58-17, 58-21, 58-25, 58-29, 58-33, 58-37, 58-41, 58-45 and 58-49 187th street, east side, 100 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein and William Hyman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(73-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed on January 22, 1940, an appeal from decisions of the borough superintendent of buildings, affecting premises 58-13 to 58-49 187th street, east side, 100 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, under N.B. Applic. Nos. 10267-39 to 10271-39, inclusive, read:

"1. The erection of a frame building within the fire limits is contrary to section 4-1-2 of the Building Code."

and
WHEREAS, the decisions of the borough superintendent, on N.B. Applic. Nos. 10252-39 to 10256-39, inclusive, read:

"1. Frame construction within the fire limits is contrary to sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 430 ft. by 100 ft. in area, located in an unrestricted use D area district; it is proposed to construct ten (10) 1 and 1½ story frame buildings and ten (10) private garages; and

WHEREAS, the applicant contends that it has purchased all the lots on both sides of 187th street from World's Fair boulevard to 58th avenue as part of a large tract; that it is the intention to develop the area shown on the plot plan filed herein for residential purposes only, and a restriction to that effect to be filed with the F.H.A.; that the construction of solid brick homes would be too expensive and not justified by possible sales in this neighborhood.

Resolved, that the decisions of the borough superintendent, acting on N.B. Applic. No. 10267-39 to 10271-39, inclusive, and 10252-39 to 10256-39, inclusive, be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the structures as proposed shall be restricted to single-family occupancy; that the front yards shall be not less than 20 ft. in depth, except for projections of unenclosed steps; that the side yards shall not be less than 10 ft. in width on one side and 5 ft. on the other side, except for extension of steps, bay windows or chimney breast; that the buildings shall be faced up to top of 1st story with masonry

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vener; that there may be constructed on each lot a garage for either one or two cars, solely for the use of the residential building on such lot; that such garages shall harmonize in construction with the construction of the house; that the gable ends of the house and garage may be of frame surfaced with wood siding; that no portion of garage shall be nearer than one foot to the rear or side lot line, except that if the garages are located nearer than 3 ft. to either side or rear lot line, the gable ends near such lines shall be constructed of masonry veneer or be brick filled.

74-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-14, 58-18, 58-22, 58-26, 58-30, 58-34, 58-38, 58-42, 58-46 and 58-50 187th street, west side, 100 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein and William Hyman.
For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(74-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed on January 22, 1940, an appeal from decisions of the borough superintendent of buildings, affecting premises 58-14 to 58-50 187th street, west side, 100 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, on N.B. Applic. 10257 to 10261-39, inclusive, dated January 18, 1940, read:

"1. Frame construction within the fire limits is contrary to Sec. 4.1.2 of the Bldg. Code."

and

WHEREAS, the decisions of the borough superintendent, on N.B. Applic. Nos. 10262-39 to 10266-39, inclusive, read:

"1. The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot approximately 400 ft. by 100 ft. in area, located in an unrestricted use D area district; it is proposed to construct ten (10) 1½ story frame buildings and ten (10) garages; and

WHEREAS, the applicant contends that it has purchased all the land on both sides of 187th street from World's Fair boulevard to 58th avenue as part of a large tract; that it is the intention to develop the area shown on the plot plan filed herein for residential purposes only, and a restriction to that effect to be filed with the Federal Housing Authority; that the construction of solid brick homes would be too expensive and not justified by possible sales in this neighborhood.

Resolved, that the decisions of the borough superintendent, acting on N.B. Applic. No. 10257 to 10261-39 inclusive, and 10262 to 10266-39, inclusive, be and they hereby are modified, and the appeal be and it hereby is granted on condition that the structures as proposed shall be restricted to single-family occupancy; that the front yards shall be not less than 20 ft. in depth, except for projection of unenclosed steps; that the side yards shall not be less than 10 ft. in width on one side and 5 ft. on the other side, except for extension of steps, bay windows or chimney breast; that the building shall be faced up to top of 1st story with masonry veneer; that there may be constructed on each lot a garage for either one or two cars, solely for the use of the residential building on such lot; that such garages shall harmonize in construction with

the construction of the house; that the gable ends of the house and garage may be of frame, surfaced with wood siding; that no portion of garage shall be nearer than one foot to the rear or side lot line; that if the garages are located nearer than 3 ft. to either side of rear lot line, the gable ends near such ends shall be constructed of masonry veneer or be brick filled.

90-40-A.

APPLICANT—Lama and Proskauer, for Louis W. Alpher, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—498-500 Atlantic avenue, south side, 225 ft. west of Third avenue (Block No. 185, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(90-40-A)

WHEREAS, Lama and Proskauer, for Louis W. Alpher, owner, filed January 25, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 498-500 Atlantic avenue, south side, 225 ft. west of 3rd avenue (Block No. 185, Lot No. 16), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on B.N. Applic. No. 8488-39, dated January 8, 1940, reads:

"2. Proposed installation of hydraulic lift and car greasing service to be used in conjunction with lot for sale and display of used cars indicates that premises may be used as a motor vehicle repair shop in business use dist. contrary to Art. II, Sec. 4a Zone Resolution application."

and

WHEREAS, the premises consist of a plot 50 ft. by 105 ft. in area, located in a business use B area district, and proposed to be occupied for the sale of used cars and for car lubrication services; and

WHEREAS, the applicant contends that it is proposed to install a hydraulic lift at the rear of the existing used car lot; that there is nothing in the law which prohibits the installation of a lift or pit on the premises, in a business zone; that the Department of Housing and Buildings assumes that the premises might be used as a motor vehicle repair shop, and on this assumption the application was denied.

Resolved, that the decision of the borough superintendent, acting on B.N. Applic. No. 8488-39, Objection No. 2, be and it hereby is modified, and the appeal be and it hereby is granted on condition on assurance of applicant that the premises at no time shall be used for a non-conforming use.

125-40-A.

APPLICANT—John B. Reschke, for Angelo Mazzei, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Reschke.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief	
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MINUTES

Walsh 4
Negative 0

THE RESOLUTION—

(125-40-A)

WHEREAS, John B. Reschke, for Angelo Mazzei, owner, filed on January 31, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 59 Sands street, north side, 78 ft. 4 in. east of Adams street (Block No. 76, Lot No. 22), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. No. 5278-39, dated January 31, 1940, reads:

"2. Proposition to straighten roof of building over 35 ft. high is contrary to Section 4.1.5(d1).

3. Proposition to extend area of frame dwelling above 2nd floor is contrary to Section 8.7.2.1."

and

WHEREAS, the building is 3 stories and basement (37 ft.) in height, 25 ft. by 40 ft. in area on 1st floor, 25 ft. by 34 ft. in area at typical floor level, of Class 4 construction, located in an unrestricted use district, erected about fifty years ago and occupied: Cellar—restaurant; 1st floor—office; 2nd floor—one family; 3rd floor—one family; and

WHEREAS, the applicant contends that the rear portion of the 3rd floor roof is pitched; that it is proposed to straighten out the roof and carry same at its full height, so as to procure proper head room; that where walls are extended, it is proposed to brick-fill walls between studding, and cover interior surface with metal lath and plaster and exterior surface with sheathing and asbestos shingles; that in addition, a regulation-type balcony fire-escape will be erected with access to same from each floor above the basement; that no increase in occupancy is contemplated, and that the actual area of the building is not being extended; that there is an existing stairway to the 3rd floor with scuttle and ladder to the flat portion of the roof.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 5278-39, Objections 2 and 3, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building is not further extended in height or area; that the side walls of the building as extended upward to permit the extension as proposed, shall be brick-filled similarly to the existing side walls from the foundation upward; that the fire escape as proposed shall be constructed on the rear, serving all stories, exiting to the yard, from which egress can be obtained through a gate in the fence to the adjoining premises; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

131-40-A.

APPLICANT—Philip Freshman, for Gennaro Guisto, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—437 Columbia street, east side, 20 ft. north of West Ninth street (Block No. 534, Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: Philip Freshman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(131-40-A)

WHEREAS, Philip Freshman, for Gennaro Guisto, owner, filed February 2, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 437-Columbia street, east side, 20 ft. north of West 9th street (Block No. 534, Lot No. 2), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 5206-39, dated February 1, 1940, reads:

"1. Change of frame building from residence to business use—store on 1st floor is contrary to Sec. 2.1.3.5 and Sec. 4.2.1 of the Building Code."

and

WHEREAS, the building is 2 stories (20 ft.) in height, 20 ft. by 45 ft. in area at first floor, 20 ft. by 24 ft. in area at typical floor level, of Class 4 construction, erected about 1888, and located in a business use C area district, and occupied: Cellar—storage; 1st floor—1 family; 2nd floor—1 family; it is proposed to occupy the building as follows: Cellar—same; first floor—store, and 2nd floor—1 family; and

WHEREAS, the applicant contends that it is proposed to erect a one-story brick extension at the rear, 21 ft. in depth and to remove the partitions now forming the apartment on the first floor; to fire-retard the entire ceiling on the first floor and cellar; that it would be a hardship for the owner to be compelled to comply with the code as it would require the demolition of the building; that consideration was given to the demolition of the building, but the owner found that the existing mortgage would have to be liquidated, and that it was impossible to find financing for a new building; that it is proposed to brick-fill between studs, from sill to second tier of beams on the side lot line.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 5206-39, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the extension proposed at the rear shall not exceed one story in height and shall be constructed with enclosing walls of approved masonry; that the entire ceiling of the 1st floor and cellar shall be fire-retarded; that the existing side walls shall be brick-filled to the top of second tier of beams; that the business occupancy shall be restricted to the 1st story and cellar.

134-40-A.

APPLICANT—Herman Kron, for Tillie Silver, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—203 West 67th street, north side, 75 ft. west of Amsterdam avenue (Block No. 1159, Lot No. 28½), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(134-40-A)

WHEREAS, Herman Kron, for Tillie Silver, owner, filed February 2, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 203 West 67th street, north side, 75 ft. west of Amsterdam avenue (Block No. 1159, Lot No. 28½), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on P.D. Applic. No. 2373, dated January 26, 1940, reads:

"1/29/40—Amendment disapproved ob. 2. The requirements of the new Building Code shall be complied with relative to size and material and condition of house. See Article 14.2.6 of New Building Code."

and

WHEREAS, the building is 5 stories (55 ft.) in height, 25 ft. by 61 ft. in area, of Class 3 construction, located in a business use district, erected in 1884, and occupied: Cellar—boiler room; 1st floor—stores; 2nd to 5th floors, inclusive—2 apartments; it is proposed to occupy the building as follows: Cellar—same; 1st floor—2 apartments; 2nd to 5th floors inclusive—same; and

MINUTES

WHEREAS, the applicant contends that the present house drain is standard weight cast iron, 5 inches in diameter; that in order to provide a new bathroom, the present soil line would have to be broken at each floor to accommodate new branches; that it was therefore deemed more appropriate to install a new line; that a variation in the provisions of the code is requested, to permit connection of the new soil line to the present house drain.

Resolved, that the decision of the borough superintendent, acting on P.D. Applic. No. 2373, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that in all other respects the plumbing equipment shall meet the requirements of the building code therefor.

149-40-A.

APPLICANT—Lama and Proskauer, for Tomasetti Construction Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1464-1488 Linden boulevard, south side, 262 ft. east of Rockaway avenue (Block No. 3644, part of Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and James A. Donovan.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(149-40-A)

WHEREAS, Lama and Proskauer, for Tomasetti Construction Company, Inc., owner, filed February 6, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 1464-1488 Linden boulevard, south side, 262 ft. east of Rockaway avenue (Block No. 3644, part of Lot No. 26), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 160-1940, dated February 2, 1940, reads:

"1. Use of proposed structure for the storage of five trucks is questioned.

2. Proposed two story structure of class 3 construction is contrary to 4.2.1 of code, which limits the height of a non-fireproof garage to one story.

3. Gas tank and pump to be used in conjunction with proposed garage is questioned."

and

WHEREAS, the proposed building will be 2 stories (26 ft.) in height, 40 ft. by 72 ft. in area at first floor; 40 ft. by 24 ft. in area at 2nd floor; of Class 3 construction; located in a business use district; to be occupied as follows: Cellar—boiler room; 1st floor—5 car garage and storage of contractor's equipment and sewer supplies; 2nd floor—caretaker's apartment; and

WHEREAS, the applicant contends that the owners are sewer contractors and propose to occupy the building for their own use; that the nature of their business requires that a building of this size be erected, so that in addition to the proposed storage of not more than 5 trucks, space may be had for storage of contracting materials; that the building will not be operated as a public garage; that it is proposed to install one (1) 550 gallon gasoline tank and pump in the open yard adjacent to building, for the use of the owner's trucks and equipment only; that there will be a substantial woven wire fence erected around the premises.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 160-1940, as to Objection 2, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the 2nd story shall not exceed the area indicated on plans filed with the Department of Housing

and Buildings; that the ceiling below such 2nd story shall be fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that any gas tank and pump installed on the premises shall be solely for servicing motor vehicles of the owner, as stored in such building, and no gasoline to be sold to outsiders; that not more than one (1) storage tank of 550 gallons capacity shall be installed, and that the pump shall not be nearer than 30 ft. to the Linden boulevard building line; that if constructed as proposed, the building may be occupied for the storage of not more than (5) motor vehicles; that in all other respects the building, construction and occupancy shall comply with all rules and regulations applicable thereto.

156-40-A.

APPLICANT—Louis Allen Abramson, for Society of The Hillside Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—76-59 263rd street, northeast corner of 76th avenue (Block Nos. 26A, 27A, and 34A to 42A, inclusive), Creedmore, Borough of Queens (Hillside Hospital).

APPEARANCES—

For Applicant: Fred N. Severud and Robert Jahelka.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(156-40-A)

WHEREAS, Louis Allen Abramson, for the Society of The Hillside Hospital, owner, filed on February 2, 1940, an appeal from decisions of the borough superintendent of buildings, affecting premises bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive), Creedmore, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 10073-1939, dated February 1, 1940, reads:

"Bearing walls of 8" hollow tile are contrary to Section 8.4.2.5, Building Code."

and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 771-40, dated February 8, 1940, reads:

"1. Walls as shown on plans contrary to Section 8.4.3.2.6—hollow masonry.

2. Walls deficient in thickness—excessive openings—Section 8.4.1.6."

and

WHEREAS, the premises consist of a plot approximately 2550 ft. by 900 ft., irregular in area (approximately 2,295,000 sq. ft.), occupied by the Hillside Hospital, upon which it is proposed to erect the two buildings in question, one of which will be one story (11 ft.) in height, 272 ft. by 96 ft. in area, and the other, 2 stories (26 ft.) in height, 156 ft. 10 in. by 85 ft. 2 in. in area; and

WHEREAS, the applicant contends that the bonding requirements of the face brick to the backing are covered by section 8.4.2.2; that the construction as shown gives bonding at every second course of tile; that continuous concrete wall bands have been provided; that these bands serve to provide an even distribution of the floor and roof loads on the walls.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 10073-39, be and it hereby is *affirmed*, and that the appeal as to this building be and it hereby is *denied*; that the decision of the borough superintendent, on N.B. Applic. No. 771-40, Objection No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to wall construction only, to permit the construction of

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masonry as shown, on condition that the building shall not exceed one story in height; that the total height shall not exceed 12 ft. to the top of the roof beams; that the tile shall comply with the requirements of A.S.T.M., D., C34-34T; that piers of solid masonry shall be constructed at the window jambs for support of window lintels, where required for support of masonry above windows, and in all such places where any of the windows exceed four feet in width; that in all other respects the construction shall comply with all the requirements of the building code therefor, and *denied* as to Objection 2 for excessive openings.

928-21-A.

APPLICANT—Amalgamated Warehouses, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—99-109 Jane street, north side, 100-108 Horatio street, south side, 70 ft. west of Washington street (Block No. 642, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: James A. Vaughan.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(928-21-A)

WHEREAS, Patrick J. O'Beirne, for Rothbart Garage Operating Co., Inc., owner, filed August 30, 1931, an appeal with the Board of Appeals from a decision of the fire commissioner, affecting premises 100-108 Horatio street and 99-109 Jane street, Manhattan (running through from Horatio to Jane street); and

WHEREAS, the decision of the fire commissioner, dated August 11, 1921, in acting on new building application 1587 of 1920 reads:

"1. A 4-in. regulation standpipe will be required."

and

WHEREAS, the building is of non-fireproof construction, one story and penthouse in height, 121 ft. by 175 ft. irregular in area, occupied on the 1st story as a garage, 5 persons; pent house—office, 2 persons; and

WHEREAS, the appellant states that a 2½ in. standpipe has been installed; and

WHEREAS, this appeal was granted by the Board October 20, 1921, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 20, 1921, so that as amended it shall read:

"*Resolved*, that the decision of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that a 2½ in. standpipe line be installed and that the area of the pent house be not increased.

Resolved, further, that in the event the building is not increased in height or area and there is a transverse wall built continuously across the building from floor to ceiling so as to separate the building into two portions and with no openings in such wall and provided such wall is constructed of approved masonry at least 8 inches thick; that the existing standpipe equipment may be removed, on condition that the occupancy of the building is deemed non-hazardous by the fire commissioner and such portable fire-fighting appliances are installed in each portion of the building as the fire commissioner shall direct."

1369-39-A.

APPLICANT—Saul Goldsmith, for Hemmerdinger Estate Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

APPEARANCES—

For Applicant: Saul Goldsmith.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1369-39-A)

WHEREAS, Saul Goldsmith, for Hemmerdinger Estate Corporation, owner, filed November 8, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 9094-39, dated November 3, 1939, reads:

"1. The erection of a bldg. extending into the bed of a mapped city street is contrary to Art. 2 section 35 of the General City Law.

2. Roof construction not shown to comply with requirements for a fireproof bldg. Section 10.2.8.

3. Columns not shown to comply with Section 10.2.1 for fireproof bldg."

and

WHEREAS, notice of this application was published, pursuant to Section 35 of the General City Law; and

WHEREAS, the proposed building will be one story (17.24 ft. 6 in.) in height, 330 ft. by 180 ft. in area, constructed of incombustible materials, located in an unrestricted use, "D" area district; to be occupied throughout as a factory for 100 persons; and

WHEREAS, the applicant contends, as to Objection No. 1, that the mapped street (Rutledge avenue) has not yet been physically opened nor have proceedings been commenced by the city to open same; that some of the buildings already located on the applicant's property now encroach upon the mapped street; that the lines of the mapped street have been changed east of the applicant's property; as to Objection No. 2, that it is proposed to use two-inch precast gypsum slab on the roof; that the building faces on a street and is accessible from all sides, and will be sprinklered throughout; as to Objection No. 3, that the entire exterior perimeter will consist of exterior steel sash, which will make the fireproofing of the columns difficult; that the interior columns in the entire building will be protected by the proposed two-source sprinkler system; and

WHEREAS, this appeal was granted by the Board January 3, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 3, 1940, so that as amended it shall read:

"*Resolved*, that the decision of the borough superintendent, on N.B. Applic. No. 9094-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the construction of the proposed building in the bed of a mapped street, under the powers granted to the Board by Section 35 of the General City Law; as to Objection No. 2, *granted on condition* that the building shall be constructed of incombustible materials throughout and shall be protected with a two-source sprinkler system as proposed and shall not be increased in height or area beyond the dimensions shown on N.B. Applic.

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No. 9094-39; that as to Objection No. 3, *granted on condition* that all interior columns shall be fireproofed as required by section C26-611.0 (10.2.1) of the administrative code and that the exterior columns need not be fireproof in view of the continuous steel sash proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that in the event the owner desires also to construct within the bed of Rutledge avenue and below grade a transformer vault, as indicated on plans marked 'Received February 7, 1940,' and as acted on by the Borough Superintendent under N.B. Applic. No. 9094-39, Objection No. 1, on February 6, 1940, such additional construction may be permitted.'

1450-39-A.

APPLICANT—William Hyman, for Harman Building Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-45 186th street, east side, 440 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative ..	0

THE RESOLUTION—

(1450-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed November 29, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 58-45 186th street, east side, 440 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, on N.B. Applic. Nos. 8783-39 and 9371-39, dated November 10, and November 17, 1939, respectively, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Bldg. Code."

and

WHEREAS, the premises consist of a plot 40 by 100 ft. in area, on which it is proposed to erect a two-story frame one-family dwelling, 23 ft. by 27 ft. in area and a one-story one-car garage, 11 ft. by 19 ft. in area; and

WHEREAS, the applicant contends that the premises in question are part of a development of one-family dwellings on lots 40 ft. by 100 ft., with one car frame garages; that it is requested that similar action be taken by the Board in this matter as was taken in previous applications affecting the same development; and

WHEREAS, this appeal was granted by the Board December 12, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of December 12, 1939, only so far as it refers to the garage, so that as amended the resolution shall read:

"Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 8783-39 and 9371-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, to permit the erection of frame buildings as proposed, substantially as shown on plans filed herein, *on condition* that the building shall be limited to residential occupancy of one family; that the building shall comply with all the requirements of the "F" area district, except that one side yard need not exceed five feet in width, provided the distance between houses is not less than 15 ft., and except that the chimney breast may extend into the side yards for a distance

of not over 1 foot; that any one or two car garage erected shall not be nearer than one foot to any side yard or rear lot line; that the first story of the building shall be of masonry veneer; that the roof shall be surfaced with natural slate or approved asphalt shingles; that in all other respects the building shall comply with the requirements for all buildings outside the fire limits."

VARIATION OF LABOR LAW

72-40-S.

APPLICANT—Louis B. Santangelo, for Estate of Joseph L. Bittenwieser, owner.

SUBJECT—Variation of the Labor Law, as cited in an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—231 Mercer street, west side, 175 ft. south of West Third street (Block No. 533, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Santangelo.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

APPLIANCES SUBMITTED FOR APPROVAL.

728-39-SA.

APPLICANT—The Silent Glow Oil Burner Corporation and The Calorol Burner Corporation, owners.

SUBJECT—Silent Glow Oil-Electric Range Burner and Calorol Oil-Electric Range Burner, approval of.

APPEARANCES—None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(728-39-SA)

WHEREAS, Silent Glow Oil Burner Corporation and The Calorol Burner Corporation, owners, filed June 3, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as Silent Glow Oil-Electric Range Burner, also known as Calorol Oil-Electric Range Burner; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 728-39-SA

Subject: Approval of Silent Glow Oil-Electric Range Burner, also known as Calorol Oil-Electric Range Burner.

"The Silent Glow Oil Burner Corporation and the Calorol Burner Corporation, filed June 3, 1939, an application with the Board of Standards and Appeals for approval of the Silent Glow Oil-Electric Range Burner, also known as the Calorol Oil-Electric Range Burner, under the provisions of C19-57.0 and the Oil Burner Rules of the Board of Standards and Appeals.

The burner base is made of cast iron having two concentric rings. Mounted upon these rings are four cylindrical shells made of perforated chromium steel, having a chromium content of 18 to 20 per cent. The outside diameter of the shells is 6¾ inches. Each burner is equipped with a carbon leg and a pressed steel cover which fits over the top of the vaporizing shells. A pedestal supports the burner and is equipped with two levelling screws and a bolt for fastening same to the

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range. The model is supplied with oil from a two-gallon metal tank having a handle. In the burner the oil reservoir is made of pressed steel and is mounted upon a substantial iron base which is so constructed that it may be firmly fastened to the floor. The flow of oil to the burner is controlled by a ball seat metering valve made by the manufacturer of the burner. The reservoir is equipped with an air vent which prevents flooding.

The burner is lighted by a spark from a spark coil in conjunction with a 6-volt battery. Contact is made at the burner base through a practically indestructible electrode. The spark is controlled by a push button switch.

The operating principles involved in this burner were tested and all the mechanism found to function as designed. There was recognized in these burners the inherent possible hazards due to location and operation. In recommending these burners for approval, it is suggested that certain recommendations be carried out in their installation and incorporated on the instruction card and that the approval of the Board shall not be final until a copy of this instruction card is filed with the Board of Standards and Appeals and the Fire Department.

It is recommended that the Board of Standards and Appeals approve the device known as the Silent Glow Oil-Electric Range Burner (also known as the Caloroil Oil-Electric Range Burner), for use in domestic and commercial installations, when installed in accordance with the provisions of the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length same shall be enclosed in iron or steel piping or cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. That cans used for the storage and filling of oil containers shall comply with the requirements of Chapter 10, Art. 8, Subdiv. 3, of the Code of Ordinances, as amended February 18, 1935.

8. Storage containers shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ inch asbestos or other equivalent material, this shield to extend at least 12 inches beyond the outline of the stove or range in which the device is installed.

10. The storage container shall bear a label permanently attached thereto reading as follows:

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 728-39-SA
(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Silent Glow Oil-Electric Range Burner, on condition that the appliance be manufactured, installed, operated, and labelled, stamped or tagged in accordance with above report.

Resolved, further, that this appliance may be marketed under the name Caloroil Oil-Electric Range Burner, on condition that under whatever name marketed the requirements of the above report shall be complied with.

1060-38-SA.

APPLICANT—Taylor Engineering Company, owner.

SUBJECT—Taylor's CO² 150 Pound Converter, approval of.

APPEARANCES—None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners	
Savage and Blum and Assistant Chief	
Walsh	4
Negative	0

THE RESOLUTION—

(1060-38-SA)

WHEREAS, Taylor Engineering Company, owner, filed November 25, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Taylor's CO² 150 Pound Converter; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 1060-38-SA.

Subject: Approval of Taylor's CO² 150 Pound Converter.

The Taylor Engineering Company, owners, filed November 25, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Taylor's CO² 150 Pound Converter for use under the provisions of C19-94.0, Administrative Code, and the Rules of the Board on Carbon Dioxide Liquefiers.

This converter is constructed as follows:

Material of Shell—12 $\frac{3}{4}$ inch o.d. by .375 inch thick wall of Grade C seamless steel tubing with an ultimate strength of 90,000 p.s.i.

Closure Lid—Drop forging steel.

Support Frame—Heavy welded steel.

Inspection—Manufactured in accordance with the A.S.M.E. unified Pressure Vessel Code and inspected by the Hartford Steam Boiler Inspection and Insurance Company. Certificate of Inspection supplied with each unit.

Manufacture—Produced by the spinning process and equipped with two $\frac{3}{4}$ -inch openings on top shoulders and one $\frac{3}{4}$ -inch opening in bottom. For drainage and cleaning after filling with dry ice, the internal lid is drawn up into position with rubber gasket provided to insure a perfect seal.

Capacity—150 pounds carbon dioxide, plus an allowance of more than 10 per cent. for over filling, based on standard 68 per cent. water filling density.

Weight—Total approximately 325 pounds.

On the basis of the foregoing data, the Committee recommends the approval of the Taylor's CO² 150 Pound Converter as made by the Taylor Engineering Company of Elgin, Illinois, with a dry ice (CO²) content of not

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more than 68 per cent. of the water (by weight) content of the cylinder, and when constructed, used and identified as provided in the rules of the Board on Carbon Dioxide Liquefiers. In addition thereto the Committee recommends that each converter be equipped with two safety discs set to fracture at 3,000 p.s.i. That before shipping for use in New York City each unit shall be tested by an inspection agency satisfactory to the Fire Commissioners and that each cylinder shall bear a metal label or have stamped thereon, reading as follows:

APPROVED BY THE BOARD OF STANDARDS AND APPEALS

For Use in New York City

Under Cal. No. 1060-38-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as Taylor's CO² 150 Pound Converter, on condition that the appliance be manufactured, installed, operated, and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

782-39-SM.

APPLICANT—Jno. T. McCoy, Incorporated, owner.

SUBJECT—Jno. T. McCoy, Incorporated, Hollow Clay Tile, approval of.

APPEARANCES—None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

Walsh 4

Negative 0

1311-39-SM.

APPLICANT—The Woodville Lime Products Company of Toledo, Ohio, owner.

SUBJECT—White Lily Blubag Finishing Hydrated Lime, approval of.

APPEARANCES—

For Applicant: A. A. Jordan.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1311-39-SM)

WHEREAS, The Woodville Lime Products Company of Toledo, Ohio, owner, filed on October 25, 1939, an application with the Board of Standards and Appeals for approval of the material known as White Lily Blubag Finishing Hydrated Lime; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

February 3, 1940.

Cal. No. 1311-39-SM.

Subject: Approval of White Lily Blubag Finishing Hydrated Lime.

The Woodville Lime Products Company of Toledo, Ohio, filed an application on October 25, 1939, for the approval of their finishing hydrated lime, under C26-312.0-b (7.1.1.7.2) and C26-463-4.0 (8.4.10.7-8).

This hydrated lime is manufactured from dolomitic limestone with percentage analysis as follows:

Silica, .24; iron, .15; alumina, 0.2; magnesium, 42.92; calcium, 56.79; sulphur, .0214, with traces of titanium and phosphorus.

The limestone, after quarrying, is sized and washed so as to remove fines. It then goes through shaft kilns and calcined to remove CO² for a period of eight hours at temperatures of 1800-2000 degrees F, after which the oxide of lime is removed to coolers. It is then hand graded so as to eliminate all off-color material. It is then put through a hammer mill and pulverized so as to pass an 8-mesh screen, after which it passes to a Cylde hydrater where water is run until hydration is completed, which is determined by chemical checks. It is then milled to a fineness of not less than 87 per cent. through a 200-mesh sieve and not more than one-half of one per cent. remaining on a 50-mesh sieve. This is checked every fifteen minutes to insure uniformity. The lime is then aged in a bin and before bagging, the lime passes through a Hummer screen. A flow sheet of the method of manufacture has been filed.

A sample of this material was purchased on the open market and tested by Prof. S. S. Scholnik of Brooklyn Polytechnic Institute, Brooklyn, N. Y., with results as follows:

	Test Results	SS-L-351 (F) & A.S.T.M. C-34-T
Magnesium & Calcium Oxides (non-volatile basis)	97.26	95%
Carbon Dioxide (non-volatile basis)	2.43	7.0 Max.
Fineness		
Retained on No. 30 screen	0.5%	0.5% Max.
Retained on No. 200 screen	9.0%	15% Max.
Soundness	No disintegration or popping	Sound
Plasticity	* 246 (Emley)	200

*Pittsburgh Testing Laboratory Report No. N.Y. 34573.

On the basis of the foregoing data, the Committee recommends the approval of White Lily Blubag Finishing Hydrated Lime, as made by Woodville Lime Products Company, Woodville, Ohio, under C26-312.0-b (7.1.1.7.2) and C26-463-4.0 (8.4.10.7-8) and C26-313.0 (7.1.1.8.1) for use in scratch, brown or finish coat of plaster, stucco, and for mortar. This material shall be manufactured as provided herein and the specifications maintained as listed. In connection therewith, the Board reserves the right to make additional tests from time to time. This material is packed in 50 pound paper bags, carrying the manufacturer's marks. In addition to such marking, each bag for use in New York City shall have stamped, tagged or marked thereon the following:

"Approved by the Board of Standards and Appeals, for use in New York City, when used as specified under Cal. No. 1311-39-SM."

It is also recommended that when combined with sand the hydrated lime shall be slaked for at least twelve hours.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

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LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does

hereby approve the material known as White Lily Blubag Finishing Hydrated Lime, *on condition* that the material be manufactured, used, labelled, stamped or tagged in accordance with above report.

Adjourned, 5:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article I, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Court Decision.

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The Hearing Calendar.

Minutes of Regular Meeting February 20, 1940, at 10 A.M., Affecting Calendar Numbers 1397-39-BZ, 92-36-BZ, 212-36-BZ, 47-38-BZ, 920-38-BZ, 188-39-BZ, 546-39-BZ, 1154-39-BZ and 1389-39-BZ.

Minutes of Regular Meeting February 20, 1940, at 2 P.M., Affecting Calendar Numbers 670-19-BZ, 657-28-BZ, 695-29-BZ, 499-31-BZ, 328-35-BZ, 314-36-BZ, 413-37-BZ, 559-37-BZ, 715-38-BZ, 1094-39-BZ, 1312-39-A, 26-40-A, 136-40-A, 161-40-A, 186-40-A, 605-39-A, 1024-39-A, 426-38-SA, 746-38-SA, 1354-39-SA and 91-40-SA.

Minutes of Special Meeting February 23, 1940, at 10 A.M., Affecting Calendar Numbers 1415-39-BZ, 1416-39-BZ, 1417-39-BZ, 1418-39-BZ, 1419-39-BZ and 1420-39-BZ.

Smoking in Factories, Rules.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Factory Exit Rules.

Approved Fireline Hose Valves.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of a nysuch communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directons.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to February 27, 1940.

Cal. No. Department. Premises Affected.

193-40-BZ....H.B.Q.....175-35 Dalny road, northwest corner of Highland avenue (Block No. 9884, Lot No. 70), Jamaica, Borough of Queens, N.B. 8317-39.

194-40-BZ....H.B.Bx...4259 Bronxwood avenue, west side, 165.80 ft. south of East 236th street (Block No. 5001, Lot No. 62), Borough of The Bronx, Alt. 40-40.

195-40-A.....H.B.R.....1741 Victory boulevard, northwest corner of Winthrop place (Block No. 350, Lot No. 1), West New Brighton, Borough of Richmond, B.N. 70-40.

196-40-SM.....Natco Structural Hollow Clay Partition and Furring Tile (non-load-bearing), manufactured by National Fireproofing Corporation, Material.

197-40-SM.....Art Metal Construction Company Hollow Metal $\frac{3}{4}$, 1, $1\frac{1}{2}$ and 3 Hour Fire Door, manufactured by Art Metal Construction Company, Material.

198-40-A.....F.D.....30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens, 4101-L.F.

199-40-SM....."Quick Link" Flexible Gas Range Connector, manufactured by Morris A. Elliott Company, Material.

200-40-SM.....Slagblok Filler for Ribbed Floor Construction, manufactured by Republic Fireproofing Company, Inc., Material.

201-40-BZ....H.B.Q.....95-04 Astoria boulevard, southeast corner of 95th street (Block No. 1375, part of Lot No. 1), Flushing, Borough of Queens, N.B. 7403-39.

202-40-A.....H.B.M....25-53 West 48th street, north side, and 26-52 West 49th street, south side, 237 ft. $7\frac{1}{2}$ in. east of Sixth avenue (Block No.

1264, Lot No. 10), Borough of Manhattan, Decision—re Certificate of Occupancy.

203-40-SM.....Conviser and Company Steel Shell Concrete Columns, manufactured by Conviser and Company, Agent for Max Conviser, owner, Material.

204-40-SA.....Wayland Horizontal Rotary Oil Burner, Appliance.

205-40-S.....H.B.M....149 West 27th street, north side, 205.4 ft. east of Seventh avenue (Block No. 803, Lot No. 11), Borough of Manhattan, Viol. 252-39 and Decision.

206-40-A....F.D.....115-117 East 14th street, north side, 25 ft. 2 in. west of Irving place (Block No. 870, Lot No. 18), Borough of Manhattan, Decision.

207-40-BZ....H.B.M....207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan, Alt. 3469-39.

208-40-A.....H.B.M....14-22 Cortlandt street, north side, 51 ft. $1\frac{1}{2}$ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan, F.P. Applic. 80-40.

209-40-A.....F.D.....92-17 to 92-19 Union Hall street, east side, 175 ft. south of Jamaica avenue (Block No. 10102, part of Lot No. 74), Jamaica, Borough of Queens, 4142-L.F.

210-40-BZ....H.B.Bx...609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx, Alt. 828-39.

211-40-BZ....H.B.B....154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn, Alt. 296-40 and Alt. 297-40.

212-40-A.....H.B.Q.....28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No.

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420, Lot Nos. 4 and 32), Long Island City, Borough of Queens,
Viol. 3167-39 and Alt. 2132-39.

Restored to Calendar.

197-39-BZ....H.B.Q.....150-47 12th road and 12-28 to 12-30 Cross Island boulevard, northwest corner (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens,
N.B. 8215-39.

292-17-BZ....H.B.M....228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan,
Alt. 172-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

COURT DECISION.

In re Third Ave. RR. and ano. (Murdock et al, &c)—On November 15, 1938, the Board denied an application for parking and storage of more than five (5) motor vehicles, under 7-h, for a temporary period, Cal. No. 15-38-BZ, on the ground that 7-h did not apply in that the plot was not unbuilt upon and further because of the prohibition of sect. 21 in that the plot is within 200' of the entrance of a school; premises 2526-2530 Amsterdam Avenue s.w. cor. W. 186th St., Manhattan. Mr. Justice Levy upheld the Board's decision (N. Y. L. J. Feb. 26, 1940), stating:

"The petitioners invoked the action of the board of standards and appeals pursuant to section 7-h of the zoning resolution. Its action thereunder was not arbitrary. On the contrary, it was dictated by the provisions of section 21. Petitioners contend that their use of the premises has been continuous over a long period, antedating the adoption of the resolution and was therefore unaffected by it. Since the board was asked in its discretion to allow a variance from the district use, the allegations of the petition relating to prior use are insufficient to raise an issue."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	Jan. 16, 1940—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9
Fire Alarm Rules (Interior).....	Sept. 12, 1939—Vol. 24, No. 37
Fire Drill Rules	Nov. 21, 1939—Vol. 24, No. 47
Fire Retarding Rules for Garages, etc.	Feb. 20, 1940—Vol. 25, No. 8
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug. 15, 1939—Vol. 24, No. 33
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Oct. 3, 1939—Vol. 24, No. 40
Oil Burner Rules	Feb. 27, 1940—Vol. 25, No. 9
Opening Protective Assemblies, Rules for Inspection of	Dec. 5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spraying Rules	Nov. 14, 1939—Vol. 24, No. 46

Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply)....	Nov. 7, 1939—Vol. 24, No. 45
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Oct. 10, 1939—Vol. 24, No. 41
Smoking in Factories, Rules for	Feb. 27, 1940—Vol. 25, No. 9
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Feb. 27, 1940—Vol. 25, No. 9
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Oct. 3, 1939—Vol. 24, No. 40
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Feb. 27, 1940—Vol. 25, No. 9
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 25
Paint, Varnish and Lacquer Spraying Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

FEBRUARY 27, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, February 27, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1318-39-BZ—Application, October 25, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Matthew W. Del Gaudio, applicant, on behalf of Anna Palermo, Anna Shields and Laura L. Dudley, owners, to permit in a business use district, the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 1356-39 BZ—Application, November 1, 1939, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Willess Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.

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CAL. NO. 190-19-BZ—Application of Interborough Engineering Company, applicant, on behalf of Joseph Lau, owner (Lau Motors, lessee), reopened May 9, 1939, under section 21 of the building zone resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn.

CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brightwater court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 1175-39-BZ—Application, September 25, 1939, under section 7h of the building zone resolution, of Abraham J. Halprin, applicant, on behalf of Sears Roebuck & Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

CAL. NO. 1362-39-BZ—Application, November 6, 1939, under sections 7h and 21 of the building zone resolution, of Charles W. Van Keuren, applicant, on behalf of Norma McCormack, owner (Joseph McLaughlin and

Isidore Paley, lessees) to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 69 and 73), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 120-39-BZ—Application, February 2, 1939, under section 21 of the building zone resolution, of Charles Hofmann, applicant and lessee, on behalf of Cecelia Hofmann, owner, to permit in a business use district, the maintenance of a motor vehicle repair shop in part of an existing building; premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond.

CAL. NO. 105-40-BZ—Application, January 29, 1940, under section 21 of the building zone resolution, of William Wilson Carpet Cleaning Service, Inc., applicant, on behalf of 650 Tiffany Street Corporation, owner, to permit in a business use district, the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage, and garage for five (5) motor vehicles; premises 650 Tiffany Street, east side, 350 ft. north of Randall avenue (Block No. 2765A, Lot No. 123), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1940, 2 P. M.

Appeals from Administrative Decisions.

45-40-A-WF—103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens.

187-40-A—44-62 Nostrand avenue, west side, 232 ft. 5 in. south of Flushing avenue. 502-508 Flushing avenue and 1-41 Sandford street (Block No. 1718, Lot No. 15), Borough of Brooklyn.

62-40-A—9 Second avenue, west side, 70 ft. south of East First street (Block No. 456, Lot No. 7), Borough of Manhattan.

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184-40-A—49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan.

191-40-A—148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan.

202-40-A—25-53 West 48th street, north side, and 26-52 West 49th street, south side, 237 ft. 7½ in. east of Sixth avenue (Block No. 1264, Lot No. 10), Borough of Manhattan.

188-40-A—Northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond.

117-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

118-40-A—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

120-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law re Bed of Mapped Street).

Variations of the Labor Law.

119-40-S—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

121-40-S—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

MARCH 1, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, March 1, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 272-39-BZ—Application of City Bank and Farmers Trust Company, applicant and owner, reopened for rehearing February 14, 1940—re order of the court—re Application, previously denied by the Board, under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre; premises 645-647 Madison avenue, east

side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MARCH 5, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 5, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 735-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Horace Ginsbern, applicant, on behalf of 179 Seventh Avenue Company, Inc., owner, to permit partly in a retail use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160 West 21st street, south side, 85 ft. east of Seventh avenue and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 1446-39-BZ—Application, November 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Suburban Holding Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis (Cross Island) boulevard and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

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CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 5, 1940, 2 P. M.

Appeals from Administrative Decisions.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

71-40-A—135-163 East 95th street, 743-765 Lexington avenue, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan.

208-40-A—14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan.

217-40-A—930-933 Fifth avenue and 1-3 East 74th street, northeast corner (Block No. 1389, Lot Nos. 1, 2, 4 and 5), Borough of Manhattan.

234-40-A—20-22 West 39th street, south side, 303 ft. west of Fifth avenue (Block No. 840, Lot Nos. 60 and 61), Borough of Manhattan.

220-40-A—1651 Zerega avenue, south side, 72.57 ft. east of Maclay avenue (Block No. 3991, Lot No. 78), Borough of The Bronx.

212-40-A—28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens.

Variation of the Labor Law.

238-40-S—2493 Fulton street, north side, 254.5 ft. west of Broadway (Block No. 1547, Lot No. 25), Borough of Brooklyn.

MARCH 8, 1940, 10 A. M.

Material Submitted for Approval

830-39-SM-NYK-A and NYK-B One-Hour Metal-Covered Fire Doors, approval of.

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to per-

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mit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 12, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.
- 81-40-A—128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57½), Borough of Manhattan.
- 224-40-A—385 Gerard avenue, southwest corner of East 144th street (Block No. 2349, Lot No. 90), Borough of The Bronx.
- 198-40-A—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.
- 1491-39-A—30-02 to 31-20 Star avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296, Lot No. 51), Long Island City, Borough of Queens.
- 29-40-A—154-170 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan.
- 222-40-A—124 East 70th street, south side, 120 ft. west of Lexington avenue (Block No. 1404, Lot No. 62), Borough of Manhattan.
- 1212-39-A—334-336 East 48th street, south side, 175 ft. west of First avenue, and 335-339 East 47th street (Block No. 1340, Lot Nos. 31, 34 and 35), Borough of Manhattan.
- 249-40-A—18-26 East End avenue and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan.
- 219-40-A-WF—41-01 to 41-05 Lawrence street, southeast corner of 41st avenue (Block No. 5039, Lot No. 8), Flushing, Borough of Queens.
- 232-40-A—65-74 Saunders street, south side, 100 ft. west of 66th avenue (Block No. 3087, part of Lot No. 25), Forest Hills, Borough of Queens.
- 87-40-A—36-05 to 36-15 36th avenue, northwest corner of 37th avenue (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens.

MARCH 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 328-39-BZ—Application, March 15, 1939, under section 7h of the building zone resolution, of Joseph Sliva, applicant and lessee, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 1307-39-BZ—Application originally filed October 24, 1939, amended application, March 6, 1940, under section 21 of the building zone resolution, of Joseph J. Furman, applicant, on behalf of Peter Schimuck and 346 West 44th Street Realty Corporation, owners, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and, also, the omission of the required rear yard (amended as to application for use of part of premises for parking and storage of more than five (5) motor vehicles); premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 55), Borough of Manhattan.

CAL. NO. 1322-39-BZ—Application, October 26, 1939, under section 7h of the building zone resolution, of William I. Hohausser, applicant, on behalf of Clinton Estates, Inc., to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

CAL. NO. 1463-39-BZ—Application, November 30, 1939, under section 21 of the building zone resolution,

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tion, of Sidney L. Strauss, applicant, on behalf of Temple Gates of Prayer (also known as Congregation Shaari Tefilla), owner, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities; premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

CAL. NO. 1468-39-BZ—Application, December 2, 1939, under sections 7a and 7e of the building zone resolution, of Harry B. Lindberg, applicant, on behalf of Borden's Farm Products Division of The Borden Company, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

CAL. NO. 1236-39-BZ—Application, October 10, 1939, under section 7h of the building zone resolution, of Robert J. Reiley and Charles C. Reiley, applicants and owners (Otto A. Bradman and John Resto, lessees), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

CAL. NO. 1426-39-BZ—Application, November 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Leon G. Wertheimer, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 331 Morris Park avenue, northeast corner of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

65-40-A—140-09 Rose avenue, west side, 78 ft. north of Kissena boulevard (Block No. 5230, Lot No. 37), Flushing, Borough of Queens.

107-40-A—744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

47-40-A—759 Sixth avenue, west side, 39.8 ft. north of West 25th street (Block No. 801, Lot No. 38), Borough of Manhattan.

48-40-A—765 Sixth avenue, west side, 79.6 ft. north of West 25th street (Block No. 801, Lot No. 40), Borough of Manhattan.

84-40-A—78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan.

245-40-A—1331 Halsey street, northwest corner of Irving avenue (Block No. 3407, Lot No. 1), Borough of Brooklyn.

268-40-A—147-165 Wolcott street, south side, 125 ft. west of Conover street (Block No. 574, Lot No. 12), Borough of Brooklyn.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

270-40-A—84-24 116th street, west side, 180 ft. south of 84th avenue (Block No. 9215, Lot No. 19), Richmond Hill, Borough of Queens.

Variation of the Labor Law.

55-40-S—21-02 to 21-16 43rd avenue, southeast corner of 21st street (Block No. 441, Lot No. 16), Long Island City, Borough of Queens.

MARCH 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 26, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 502-32-BZ—Application of Lama and Proskauer, applicants, on behalf of C. J. A. Realty Corporation, owner, reopened February 14, 1940, for consideration as to extension of time to complete work—re Ap-

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plication, previously granted on condition, under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

CAL. NO. 17-40-BZ—Application, January 5, 1940, under section 7h of the building zone resolution, of Max Siegel, applicant, on behalf of Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1411-39-BZ—Application, November 16, 1939, under section 21 of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of Alfonzina Giogrande, owner, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use

(store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

CAL. NO. 100-40-BZ—Application, January 27, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of Celia H. Seelig, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

CAL. NO. 1334-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Austin W. Magee and A. Stanley Miller, applicants, on behalf of Bettina Franzese, owner (Paul Travis, lessee), to permit in a business use district the alteration and change of occupancy of an existing building to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APRIL 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

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of the building zone resolution, *Tuesday morning, April 2, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1310-39-BZ—Application, October 25, 1939, under section 21 of the building zone resolution, of Richard E. Carey, applicant, on behalf of Eva B. Smith, owner (Joseph Brown, lessee), to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.

CAL. NO. 1483-39-BZ—Application, December 7, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of East River Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.

CAL. NO. 68-40-BZ—Application, January 19, 1940, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Inc., and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, southeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 1492-39-BZ—Application, December 9, 1939, under sections 7h and 21 of the building zone resolution, of Newburgh Savings Bank, applicant and owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405-A (1399), Lot No. 125), Borough of Brooklyn.

CAL. NO. 574-39-BZ—Application, May 5, 1939, under sections 7b and 21 of the building zone resolution, of Ridgewood Savings Bank, applicant and owner (E. K. Demmel, lessee), to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

CAL. NO. 1532-39-BZ-WF—Application, December 22, 1939, under section 7h of the building zone resolution, of Stanley H. Hemley, applicant, on behalf of Kew Gardens Corporation, owner (August Meyers, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 9, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 16, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re considera-

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tion as to an amendment of resolution—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park ave-

nue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, FEBRUARY 20, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum, and Deputy Chief McCarthy.

The minutes of the regular meeting of the Board, held on Tuesday morning, January 23, 1940, and the minutes of the regular meeting of the Board, held on Tuesday afternoon, January 23, 1940, were approved as printed in Bulletin No. 5, Vol. 25.

BUILDING ZONE CASES.

1397-39-BZ.

APPLICANT—Cafiero and Lacerenza, for Fannie Silverman, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oscar William Swift, William A. Lacerenza and Emanuel Lurio.

For Opposition: Arthur Kampf, Walter F. Smith, James Cannello, Ida Feuer, Nettie Stolba, Mrs. Walter F. Smith, Mrs. B. Reiss, Julia Israel and others.

ACTION OF BOARD—Laid over to March 19, 1940, at 10 A.M., for inspection by a committee of the Board and decision, without further argument.

92-36-BZ.

APPLICANT—Hirsh, Newman, Rease and Becker, for Consolidated Biological Products, Inc., owner.

SUBJECT—Application reopened July 5, 1939 (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously acted upon and granted by the Board).

PREMISES AFFECTED—109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: David J. Brown and Philip Freshman.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Deputy Chief McCarthy 4
Negative 0

THE RESOLUTION—

(92-36-BZ)

WHEREAS, this application to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan, was granted by the Board July 14, 1936, on certain conditions, and application reopened by vote of the Board July 5, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 50th street and West 51st street are in retail and business use districts; Sixth avenue and Seventh avenue are in retail use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 24, 1939, reads:

"Your application dated November 8, 1939 for the use of the above premises for the parking of more than five motor vehicles has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 305 ft. on West 50th street, 305 ft. on West 51st street and a depth of 200.10 ft.; upon the east portion of the plot there is located a one-story brick building having a frontage of 120 ft. on West 50th street, occupied as stores on the first story and outdoor dining space on the second story; on the westerly portion of the plot there is located a one-story brick building having a frontage of 115 ft. on West 50th street, occupied for stores, and at the rear as a bus loading platform and a one-story office structure 23 ft. by 17 ft. 8 in. in area; along the east lot line of the plot there is a one-story building, occupied as a waiting room; part of the westerly portion of the plot is occupied, as a driveway for buses; it is proposed to alter (as shown on the filed plans) the building on the westerly portion of the plot and the 23 ft. by 17 ft. 8 in. office structure; to abandon the use, and to use the vacant portion of the premises for the parking of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7-h thereof, for a term of two (2) years from the date of this resolution; to permit the premises under appeal to be oc-

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cupied for the transient parking of more than five (5) motor vehicles, *on condition* that the entire plot to be so used, known at Lot 40 as reapportioned, and as indicated on revised plans filed at the hearing of February 20, 1940, shall be arranged substantially as shown thereon, and shall be levelled to the grade of West 51st street, and surfaced with steam cinders, clean gravel or other similar material, properly rolled and bound; that entrances to this plot shall be restricted to one to West 51st street toward the easterly end, not exceeding 40 ft. in width, and one to West 50th street, not exceeding 20 ft. in width with curb cuts opposite of similar width; that any other curb cuts along West 50th and West 51st streets now existing shall be restored; that there shall be erected along the street building lines of West 51st street a substantial woven wire fence not less than 6 ft. in height, except for the entrance permitted; that along the interior lot lines where walls of existing buildings do not occur, there shall be erected a similar woven wire fence; that during the term of this permit the plot shall be occupied for no other use than that herein permitted and no buildings shall be erected thereon except that there may be erected a building as an office and shelter for the attendant, provided such building does not exceed 150 sq. ft. in area and one story in height; that no signs shall be erected on the premises, except that there may be erected at each entrance a sign advertising the parking use, such sign not to exceed 15 sq. ft. in area, and not to extend beyond the building line; that any lighting installed shall be on pipe standards with metal reflectors, so arranged as to reflect toward the center of the parking lot; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within four months from the date of this resolution.

212-36-BZ.

APPLICANT—Charles H. Bellows, for Estate of John E. Miller, owner (Joseph Rossi, lessee).

SUBJECT—Application reopened October 3, 1939 (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED — 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles H. Bellows and Joseph Rossi.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—

(212-36-BZ)

WHEREAS, this application to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan, was denied by the Board June 22, 1937; and

WHEREAS, since the denial the plot has been reapportioned so as to eliminate the frontage on East 104th street; and

WHEREAS, this application was reopened by vote of the Board, October 3, 1939; and

WHEREAS, a public hearing was held on this application by

the Board of Standards and Appeals, at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 103rd street and East 104th street are in business and unrestricted use districts; First avenue is in an unrestricted use district, and Second avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 24, 1940, reads:

"Your application dated September 5, 1939, for a Certificate of Occupancy for use of premises for the parking and storage of more than five motor vehicles has been denied as the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 175 ft.; it is proposed to occupy the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7-h thereof, to permit the plot under appeal, known as Lot No. 13, with a frontage of 75 ft. on East 103rd street and a depth of 175 ft., to be occupied for the storage of motor vehicles, *on condition* that the existing closure wall on East 103rd street shall be retained and no openings constructed therein, other than the existing opening; that there shall be erected continuously on the interior lot lines, a substantial woven wire or cable fence, to preclude the passage of cars from this lot to the adjoining lot; that the windows on the second story of the adjoining buildings on Lot 11 shall be either blocked up with approved masonry or made fire-proof and self-closing, or equipped with steel shutters; that no signs shall be erected on the premises, advertising the storage use, except that there may be a sign attached to the street wall advertising such use, provided such sign does not exceed 15 sq. ft. in area, and does not extend beyond the building line; that proper aisles shall be maintained at all times for ready ingress and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

47-38-BZ.

APPLICANT—Herman Kron, for Harris Ratner, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners	

MINUTES

Savage and Blum and Deputy Chief McCarthy 4

THE RESOLUTION—

(47-38-BZ)

WHEREAS, Herman Kron, for Harris Ratner, Inc., owner, filed January 26, 1938, an application under sections 7h and 21 of the building zone resolution, to permit partly in a residence use and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street, and 12-18 Bogardus place (Block No. 2171, Lot Nos. 12, 16 and part of 18), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Nagle avenue is in a business use district; Bogardus place is in a residence use district; Hillside avenue and Elwood street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 24, 1938, and as amended September 22, 1939, reads:

"Relative to your application for a certificate of occupancy for the use of the above premises for the parking and storage of more than five motor vehicles, we wish to advise you that same has been denied for the reason that premises 12-18 Bogardus Place is located in a residence district where this occupancy is prohibited by section 3 of the Zone Resolution and also, because premises 27-41 Nagle avenue is located in a business district where this occupancy is also prohibited by section 4 of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Nagle avenue, 100 ft. on Bogardus place and a depth of 200 ft.; the Nagle avenue frontage of the plot is in a business use district and the Bogardus place frontage is in a residence use district; it is proposed to use the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution, and that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the temporary use of that portion of the plot within the business use district, for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed*, and the application be and it hereby is *denied*.

920-38-BZ.

APPLICANT—Lama and Proskauer, for Irving Yarvin, owner.

SUBJECT—Application reopened June 20, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the extension of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Irving Proskauer.

For Opposition: Dorothy Amberman and Mrs. E. Havens.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum 2

Negative: Chairman Murdock and Deputy Chief McCarthy 2

THE RESOLUTION—

(920-38-BZ)

WHEREAS, Lama and Proskauer, for Irving Yarvin, owner, requested a reopening of this application under section 21 of the building zone resolution, to permit partly in a residence use and partly in a business use district, the extension of a gasoline service station; premises 139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens; and

WHEREAS, this application was reopened June 20, 1939, by vote of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Springfield boulevard is in a business use district; 139th avenue and 140th avenue are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 6893-1938, dated September 26, 1939, reads:

"1. Proposition to erect a new extension for auto laundry and grease lifts in existing gas station located in residence and business zone constitutes an extension of a non-conforming use and is contrary to article 2, section 4a (46) of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 105 ft. on 140th avenue, 93 ft. on Springfield boulevard and a distance of 119 ft. along the north lot line; a small irregular shaped area at the northeast corner of the plot is in a residence use district and, the remainder is in a business use district; upon the northerly portion of the plot there is a two-story frame dwelling and a frame 2-car garage accessory to the dwelling; upon the 140th avenue front of the plot there is located a one-story accessory building to a structure, 26 ft. by 44 ft. in area, to be used as office and lubricatorium; it is proposed to install 2 additional pumps and to continue the dwelling, accessory garage, and gasoline service station; and

WHEREAS, the premises and surrounding area were inspected prior to the hearing previously held; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 6893-38, be and it hereby is *affirmed*, and that the application be and it hereby is *denied* on the basis of plans and arrangements as submitted.

188-39-BZ.

APPLICANT—H. B. Pickering, for The Nicholls Holding Company, Inc., owner (The R. M. B. Holding Corporation, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—204-208 East 45th street, north side, 80 ft. east of Third avenue, 209-211 East 44th street and rear yards of 203-207 East 44th street

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(Block No. 1318, Lot Nos. 5 to 8, inclusive, and 45 to 47, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Levy.

For Opposition: Herman Grant, Arnold Katz and P. J. Growney.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(188-39-BZ)

WHEREAS, H. B. Pickering, for The Nicholls Holding Company, Inc., owner, filed on February 17, 1939, an application under section 7h of the building zone resolution, to permit partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, north side, 80 ft. east of Third avenue, and 209-211 East 44th street also rear yards of 203-207 East 44th street (Block No. 1318, Lots 45 to 48, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 45th and East 44th streets are each in business and unrestricted use districts; Third avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated February 17, 1939, and as amended October 10, 1939, reads:

"In relation to your application dated October 9th, 1939, for a certificate of occupancy for use of the above premises, for the parking of more than five motor vehicles, we wish to advise you that said application has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 75 ft. on East 45th street, 44.2 ft. on East 44th street and a depth of 201 ft; part of the westerly portion of the plot extends for a distance of 20 ft. into the business use district and the remainder of the plot is in an unrestricted use district; this plot incorporates the rear yards of three 4-story multiple dwellings located on East 44th street; It is proposed to occupy the plot for a temporary period of not more than two (2) years for parking more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7c thereof, to permit the extension of the parking and storage use in the unrestricted area to that portion of the plot within the business use area, on condition that the entire plot, as reapportioned as indicated on plans filed herewith, known as Lots 45 and 8, shall be levelled substantially to the grade of East 44th and East 45th streets and shall be surfaced with steam cinders, clean gravel or other suitable material; that there shall be erected on the street building lines of East 45th street and East 44th street a substantial woven wire fence not less than 6 ft. in height, with not

over one opening therein to each street, not over 15 ft. in width with curb cut opposite of similar width; that a similar fence shall be located along the interior lot lines where walls of existing buildings do not occur; that where walls of existing buildings occur, there shall be installed a concrete bumper curbing not less than 2 ft. in width, as a protection to adjoining properties; that a proper bumper shall also be installed along other interior lot lines to protect the enclosing fence; that any gasoline equipment on the premises shall be completely removed; that no signs advertising the parking use shall be exhibited on the premises, except that there may be a sign at the entrance to each street, advertising the storage and parking use, provided such sign does not exceed 15 sq. ft. in area, and does not extend beyond the building line; that no signs advertising parking shall be attached to adjoining buildings; that during the term of this permit, the premises shall be used for no other use than as herein permitted; that all permits required shall be obtained and all work completed within four months from the date of this resolution.

546-39-BZ.

APPLICANT—Henry C. Brockman, for Krikwen Realty Company, Inc., owner (Gulf Oil Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage.

PREMISES AFFECTED—213-223 East 125th street, north side, 155 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph A. Lynch.

For Opposition: Charles Tilgner, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy 4

THE RESOLUTION—

(546-39-BZ)

WHEREAS, Henry C. Brockman (Gulf Oil Corporation, lessee), for Krikwen Realty Company, Inc., owner, filed May 2, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the inclusion of an alcove gasoline service station in an existing storage garage; premises 213-223 East 125th street, north side, 155 ft. east of Third avenue (Block No. 1790, Lot No. 8), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 125th street is in a business use district; East 126th street is in an unrestricted use district; Second and Third avenues are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 374-1939, dated April 3, 1939, reads:

"2. Conversion of a part of a storage garage in a business use district to a gasoline service station appears to be contrary to Section 4 of the Building Zone Resolution."

and

WHEREAS, the existing building is of fireproof construction, 100 ft. frontage, 99 ft. 11 in. in depth and two (2) stories in height; it is proposed to remove and relocate a

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portion of the street wall of the existing garage, for more than five (5) motor vehicles, and to use the resulting area (having a frontage of 85 ft. and a depth of 38 ft. 6 in.) as an alcove gasoline service station, and the remaining garage occupancy of the site is to be continued; and

WHEREAS, the Board deemed that in view of the existence of the public school in the same portion of the street between the intersecting streets, as is this proposed gasoline service station, and the decisions of the courts on similar issues brought under section 21, it is precluded from making any favorable decision herein.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 374-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1154-39-BZ.

APPLICANT—Oscar J. Heig, for Rosa Lanz, William R. Close and Lavinia Close, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, and, also, "G" area district, the erection and maintenance of a multiple dwelling.

PREMISES AFFECTED—East side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens.

APPEARANCES—

For Applicant: Oscar J. Heig and Franklyn D'Esposito.

For Opposition: Harold J. Cloutman, William B. Johnston, Cecelia A. Matthews, A. C. Gilbert, Marjorie L. Egelhof, William A. Kowalke, Harold A. Bogart, Adolph J. Egelhof and Harold Klorfein, Park Department.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4

THE RESOLUTION—

(1154-39-BZ)

WHEREAS, Oscar J. Heig, for Rosa Lanz, William R. Close and Lavinia Close, owners, filed September 20, 1939, an application under section 21 of the building zone resolution, to permit in a residence use and also "G" area district, the erection and maintenance of a multiple dwelling; premises East side of Chevy Chase road, 41 ft. south of Avon road (Block No. 7265, Lot Nos. 1, 10, 60, 51, 49 and 47), Jamaica Estates, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Chevy Chase road is in a residence use and "G" area district; 188th street, Avon road and Grand Central parkway are in residence use and "G" and "F" area districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2196-39, dated August 21, 1939, reads:

"The above location is now recorded as in a G area district under the Building Zone Resolution effective 7/13/39.

The erection of a multiple dwelling at the above location is therefore contrary to Article 4, Sec. 16A of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 344 ft. on Grand Central parkway, 204 ft. on Chevy Chase road and 160 ft. on Avon

road; it is proposed to erect upon this plot five (5) Class A multiple dwellings, each three (3) stories in height and 71 ft. by 45 ft. in area, and each to be occupied by six (6) families. The proposed buildings to comply with all "G" area requirements excepting as to the number of families; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 2196-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1389-39-BZ.

APPLICANT—John F. Meehan, for Dollar Savings Bank of the City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

APPEARANCES—

For Applicant: John F. Meehan and Edward J. Janda.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum and Deputy Chief McCarthy	3
Negative: Chairman Murdock	1

THE RESOLUTION—

(1389-39-BZ)

WHEREAS, John F. Meehan, for Dollar Savings Bank of the City of New York, owner, filed November 13, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue, southeast corner of Kingsbridge road (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bailey avenue and Kingsbridge road are in business and unrestricted use districts; Heath avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N. B. Applic. No. 822-39, dated October 23, 1939, reads:

"1. The erection of proposed building and the maintenance of a gasoline service station in a business use district is contrary to Sec. 4, of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 84 ft. on West Kingsbridge road, 109 ft. on Bailey avenue and a distance of 75 ft. along the south lot line; it is proposed to erect upon the plot a one-story building 45 ft. 4 in. by 23 ft. in area, to be used as auto laundry, lubricatorium and office and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building

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zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, thereof, to permit the plot under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be leveled to the grade of the adjoining streets; that the gasoline station shall be arranged substantially as shown on plans filed herein; that the accessory building shall be toward the central portion of the plot and shall not exceed one story in height and be constructed of incombustible materials, except that the roof beams and boarding, window frames and sash, door frames and doors may be of wood; provided that the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals, and the roof is surfaced with non-inflammable material; that no pumps shall be erected nearer than 15 ft. to either street building line; that entrances to the premises shall consist of not over two (2) from West Kingsbridge road, each not over 25 ft. in width and two (2) from Bailey avenue, not over 35 ft. in width each; that there shall be erected on the interior lot lines a masonry wall not less than 6 ft. in height continuously from West Kingsbridge road to Bailey avenue, except that such wall may be 4 ft. in height within 10 ft. of each street; that the entire plot where not covered by accessory buildings shall be cement paved; that signs shall be restricted to permanent signs attached to the accessory buildings, and to the illuminated globes of the pumps, excluding all temporary signs and roof signs, but permitting the erection within the building line of West Kingsbridge road and on Bailey avenue a post standard for supporting a sign, which may be illuminated, advertising the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than four feet; that during the term of this permit, the premises shall be used for no other use than that herein permitted; that there shall be no parking of cars thereon other than those being serviced; that there shall be no repairing of automobiles on the premises; that no portable gasoline tanks shall be used on or from the premises; that complete working drawings shall be submitted for further consideration by the Board prior to filing same with the borough superintendent; that such plans shall be filed within six months from the date of this resolution, and after approval all permits shall be obtained and all work completed within one year thereafter.

Adjourned: 1:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, FEBRUARY 20, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy.

BUILDING ZONE CASES.

670-19-BZ.

APPLICANT—Samuel Leber, Montgomery Garage, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment, re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 7g of the building zone resolution, permitting in a residence use district, the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—437-447 New York avenue, east side, 120 ft. south of Montgomery street (Block No. 1310, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Witlin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

THE RESOLUTION—

(670-19-BZ)

WHEREAS, E. E. Rowe, on behalf of F. W. & E. E. Rowe, owners, filed September 17, 1919, with the Board of Appeals, and application under the building zone resolution, to permit in a residence district, the erection of a garage for more than five (5) motor vehicles; premises 437-447 New York avenue, east side, 120 ft. south of Montgomery street, Brooklyn; and

(Block No. 1310, Lot No. 4), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board November 11, 1919, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on November 11, 1919, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*.

Resolved, further, that nothing in this resolution shall be deemed to prohibit the installation in the garage of a gasoline storage system and gasoline dispensing pumps, provided such storage system does not exceed a total capacity of 1,550 gallons, consisting of one tank, already installed, with a capacity of one thousand gallons, and one with a capacity of 550 gallons; that nothing herein contained shall be deemed to permit the use of portable gasoline tanks used outside the building."

657-28-BZ.

APPLICANT—Paul Friedman, for Golditza Realty Corporation and Harry Hirt, owners.

SUBJECT—Application for consideration—reopening and amendment, re decision of the borough superintendent of buildings, re Application, previously granted on condition, under sections 7c and 21 of the building zone resolution, permitting the extension, from a business use district into a residence use district, of a proposed business building.

PREMISES AFFECTED—1106-1118 Eastern parkway, south side, 45 ft. west of Utica avenue, and 290 Utica avenue, west side, 120 ft. 7 in. south of Eastern parkway (Block No. 1396, Lot Nos. 34, 37 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Charles Shilowitz.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

THE RESOLUTION—

(657-28-BZ)

WHEREAS, Albert Conway, for Second Mortgage Securities Corp., owner, filed August 7, 1928, an application under the building zone resolution, to permit the extension from a business district into a residence district, of a proposed business building; premises 1106-1118 Eastern park-

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way, south side, 45 ft. west of Utica avenue, Borough of Brooklyn; and

WHEREAS, this application was granted by the Board December 11, 1928, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted December 11, 1928, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that the building erected shall not exceed in height three stories above grade, the first story of the street grade for the use of retail shops or stores, the remaining two upper stories shall be restricted to business office use and occupancy; that there shall be no manufacturing of any nature or description above the first story level; that any advertising display shall be restricted to the plate glass show windows or the frieze of the show window store front; that there shall be no advertising of any nature or description above the street floor level; that the building shall set back from the building line on Eastern parkway not less than 30 ft.; that all other requirements of the zoning law shall be complied with in all respects.

"Resolved, further, that nothing herein contained shall be deemed to prohibit the construction of an addition to this building, constructed substantially as indicated on plans marked 'Received February 16, 1939', and as filed with the building department under N.B. Applic. No. 5424-39, provided such extension is entirely within the business use district and is in no other respects contrary to the stipulations set forth in the resolution adopted by the Board on December 11, 1928, as amended May 18, 1937."

695-29-BZ.

APPLICANT—Hulon Realty Corporation, owner, and Louis Curcio, lessee.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southwest corner of Wilkinson avenue and Westchester avenue (Block No. 4235, Lot Nos. 36 and 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Beatrice R. Flergel.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

THE RESOLUTION—

(695-29-BZ)

WHEREAS, this application affecting premises southwest corner of Wilkinson avenue and Westchester avenue (Block No. 4235, Lot Nos. 36 and 38), Borough of The Bronx, was granted by the Board October 7, 1930, on certain conditions, time extended October 22, 1931, April 8, 1932 and September 23, 1932, resolution amended March 27, 1934, time extended July 17, 1934, February 4, 1936, March 24, 1936, June 16, 1936, February 8, 1938 and March 29, 1938, and lessee now requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolutions adopted October 7, 1930, as amended September 23, 1932, July 17, 1934, February 4, 1936, March 24, 1936, June 16, 1936, February 8, 1938 and March 29, 1938, and only so far as it relates to permission

to construct metal garages on the premises, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, for a temporary period of two years, from March 24, 1940, on condition that a concrete curbing not less than 12 in. in height shall be erected along the Westchester avenue and Wilkinson avenue building lines, with no opening to Wilkinson avenue and two openings only to Westchester avenue (with no portion of an opening within five feet of the corner) each opening not to exceed 25 ft. in width with curb cuts directly in front of the opening not more than 30 ft. in width; that all gasoline pumps shall be located 10 ft. back of the building line; that any office installed on the premises shall be constructed of masonry with Spanish tile or variegated slate roofing; that the office shall be irregular in shape approximately 34 ft. on one leg and 41 ft. on the opposite leg; that there may be constructed and maintained on the rear of this plot a one-story metal private garage in addition to the buildings shown on plans filed with this appeal solely for the storage of the owner's car; that there shall be erected on the north and south property lines a lattice fence not less than 8 ft. in height; that all advertising signs shall be confined to the illuminated globes of the pumps; prohibiting all temporary signs, but permitting the erection within the building line near the intersection of Westchester and Wilkinson avenues of a post upright to carry a sign which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend more than five (5) feet beyond the building line; that there shall be no sale of gas or oil outside of the building line; that any grease racks installed on the premises shall be housed in masonry construction of practically the same design as the office and showroom with arched openings in the front for the entrance and exit of cars; that there may be constructed and maintained on the rear of this plot two one-story metal garages in addition to the accessory buildings, shown on the plans filed with this appeal, one of such garages to be used for storage of the owner's car and for storage of accessories and the other for car washing and that all permits required shall be obtained and any work involved completed within ninety days."

499-31-BZ.

APPLICANT—Austin W. Magee, for Ernest Reiss, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district, the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—262-18 (formerly 262-10) Hillside avenue, southwest corner of 263rd street (Block No. 4528, Lot Nos. 31, 32 and 33), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

THE RESOLUTION—

(499-31-BZ)

WHEREAS, this application affecting premises 262-18 Hill-

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side avenue (formerly 262-10) southwest corner of 263rd street (Block No. 4528, Lot Nos. 31, 32 and 33), Floral Park, Borough of Queens, was granted by the Board, April 1, 1932, resolution amended January 14, 1936, September 15, 1936 and February 23, 1938, and owner requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on April 1, 1932, as amended by resolution adopted January 14, 1936, September 15, 1936, and February 23, 1938, be and it hereby is *amended*, only so far as it has reference to the period of this permit, so that as amended this portion of the resolution shall read:

"*granted* under section 7f for a temporary period of two years from the date of this amended resolution *on condition* that in all other respects the resolution adopted on April 1, 1932, as amended September 15, 1936, and February 23, 1938, shall be complied with."

328-35-BZ.

APPLICANT—Cadwalader, Wickersham and Taft, for Margaret C. S. Carroll and Grace H. Smyth, owners.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—922 Westchester avenue, 918 Rogers avenue, southeast corner, and 909-923 East 163rd street (Block No. 2697, Lot No. 35), Borough of the Bronx.

APPEARANCES—

For Applicant: Frank Platt.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

4

Negative

0

THE RESOLUTION—

(328-35-BZ)

WHEREAS, this application, affecting premises 922 Westchester avenue, 918 Rogers place, southeast corner, and 909-923 East 163rd street (Block No. 2697, Lot No. 35), Borough of The Bronx, was granted by the Board for a temporary period March 31, 1936; resolution amended April 28, 1936; September 14, 1937, and March 15, 1938, and applicant requests a further amendment.

Resolved, that the resolution adopted by the Board on March 31, 1936, as amended by resolution adopted by the Board on April 28, 1936; September 14, 1937, and March 15, 1938, be and it hereby is *amended*, only so far as it has reference to the period of this permit, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a temporary period of two years from March 31, 1940, so as to permit that portion of Lot 35, Block 2697, now vacant and unbuilt upon, to be used for the parking and storage of more than five motor vehicles, and *on condition* that the plot be occupied for no other use than such parking and storing and that no motor vehicles are at any time to be parked or stored other than cars that are in a good state of repair and capable of being operated; that the plan marked 'Filed April 6, 1936,' as required in the resolution adopted by the Board on March 31, 1936, is hereby approved as complying with the con-

ditions hereinbefore stated; on further condition that the grading, retaining wall, fencing, sidewalk surfacing, curb cuts and entrances, as shown on plan marked 'Received April 7, 1936,' shall be constructed and maintained during the term of this variation; that in addition the small frame office and entrance shall contain toilet facilities; that in the event it is desired to increase the size of the office to an area not exceeding 10 feet square and locate same along the Westchester avenue building line, this arrangement may be permitted; that lanes not less than 15 ft. in width shall be maintained so that all cars can be readily removed; that illumination shall be by means of lights with metallic reflectors supported on pipe standards, such reflectors to reflect downwardly; that signs shall be restricted to a small sign at each entrance, indicating the name and use of the plot for parking and eliminating all other billboards and signs; that such portable fire-extinguishers shall be maintained as the commissioner shall direct."

314-36-BZ.

APPLICANT—Margaret Farrell (lessee), for Estate of Margaret Rowan, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—619-623 East 163rd street, north side, 60 ft. west of Cauldwell avenue, and 606-608 Teasdale place (Block No. 2621, Lot Nos. 29, 30, 31, 18 and 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Edmund P. Butler.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

4

Negative

0

THE RESOLUTION—

(314-36-BZ)

WHEREAS, Margaret Farrell, for Estate of Margaret Rowan, owner, filed October 23, 1936, an application under the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the parking and storage of more than five (5) motor vehicles; premises 619-623 East 163rd street, north side, 60 ft. west of Cauldwell avenue, and 606-608 Teasdale place (Block No. 2621, Lot Nos. 29, 30, 31, 18 and 20), Borough of The Bronx; and

—WHEREAS, this application was granted for a temporary period of two (2) years February 23, 1938, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted February 23, 1938, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read: "Granted for a temporary period of two years from the date of this amended resolution."

413-37-BZ.

APPLICANT—Edward Berger (lessee), for Estate of Samuel A. Potter, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of

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not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—50-10 Roosevelt avenue, 50-07 Queens boulevard, 44-20 51st street and 44-05 50th street (Block No. 505, Lot Nos. 6, 12 and part of Lot No. 21), Sunnyside, Borough of Queens.

APPEARANCES—

For Applicant: Edward Berger.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(413-37-BZ)

WHEREAS, Jacob Berger (lessee), for Estate of Samuel A. Potter, owner, filed August 23, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 50-10 Roosevelt avenue, 50-07 Queens boulevard, 44-20 51st street and 44-05 50th street (Block No. 505, Lot Nos. 6, 12 and part of Lot No. 21), Sunnyside, Borough of Queens; and

WHEREAS, this application was granted by the Board March 11, 1938, for a temporary period of two (2) years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that, the Board of Standards and Appeals does hereby *amend* its resolution of March 11, 1938, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a temporary period of two (2) years from the date of this amended resolution, to permit the premises under appeal to be used for the storage and parking of more than five (5) motor vehicles of the passenger-car type, *on condition* that the plot shall be levelled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders or other suitable material, properly bound to prevent dusting, and graded so as to provide surface drainage; that on all interior lot lines and street building lines there shall be erected a substantial fence or wall with no openings except to 50th street and 51st street, these openings not to exceed 15 ft. in width, with curb cuts opposite not exceeding a similar width; that during the term of this variance the premises shall not be used for any other use than as herein permitted; that proper aisles shall be maintained at all times to permit easy entrance and exit; that no signs shall be erected other than signs not exceeding 5 sq. ft. each at the entrances herein permitted, advertising the parking and storage use; that all other signs shall be removed; that no building shall be erected on the premises other than one not exceeding one story in height and not exceeding 100 sq. ft. in area for office and shelter for the attendant; that such portable fire-fighting appliances shall be installed as the commissioner shall direct.”

559-37-BZ.

APPLICANT—Fellman Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than

two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—5020-5036 Broadway, 3996-4010 Tenth avenue, 501-517 West 213th street and 500-518 West 214th street (Block No. 2231, Lot Nos. 1, 5, 13 and 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel I. Goldberg.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(559-37-BZ)

WHEREAS, Samuels and Samuels, for Fellman Realty Corporation, owner, filed November 29, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5020-5036 Broadway, 3996-4010 Tenth avenue, 501-517 West 213th street and 500-518 West 214th street (Block No. 2231, Lot Nos. 1, 5, 13 and 17), Borough of Manhattan; and

WHEREAS, this application was granted by the Board April 12, 1938, on certain conditions, and owner requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 12, 1938, only so far as it refers to the term of the permit, so that as amended that portion of the resolution shall read: “Granted for a temporary period of two (2) years from the date of this amended resolution.”

715-38-BZ.

APPLICANT—Sidney L. Strauss, for Thomas Martin, owner (Alfred A. Harned, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7f of the building zone resolution, permitting in a residence use district the erection and maintenance of a golf driving range for a temporary period of two (2) years.

PREMISES AFFECTED—78-01 to 78-47 Main street, east side, 318.88 ft. north of Union Turnpike (Block Nos. 6670 and 6671, Lot No. 1, and Block Nos. 6689 and 6690, part of Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(715-38-BZ)

WHEREAS, Sidney L. Strauss, for Thomas Martin, owner (Alfred A. Harned, lessee), filed August 12, 1938, an application under the building zone resolution, to permit in a residence use district the erection and maintenance of a golf driving range for a temporary period of two (2) years; premises 78-01 to 78-47 Main street, east side of Main street, 318.88 ft. north of Union Turnpike (Block Nos. 6670 and 6671, Lot No. 1, and Block Nos. 6689 and 6690, part of Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board

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February 28, 1939, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted February 28, 1939, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7f thereof, to permit the area proposed, between 78th avenue on the north, 79th avenue on the south, Main street on the west, and a point 800 ft. therefrom and running parallel thereto on the east, to be used for the period of one year *from the date of this amended resolution* as a golf driving range, on condition that no additional building shall be erected on the premises other than the existing tool shed and office near the Main street building line and that the driving shall be at all times generally easterly from Main street."

1094-39-BZ.

APPLICANT—Sheffield Farms Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting partly in a residence use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—52-02 Flushing avenue, south side, 106 ft. west of Sophie street, and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: William C. Stohldrier, H. McNabb, Arthur G. Pieper and R. A. Lubowsky.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1094-39-BZ)

WHEREAS, Sheffield Farms Company, Inc., owner, filed August 23, 1939, an application, under sections 7a, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 52-02 Flushing avenue, south side, 106 ft. west of Sophie street, and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens; and

WHEREAS, this application was granted by the Board November 21, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted November 21, 1939, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the premises to be occupied for the present use as a milk distributing station, using more than five (5) motor vehicles in connection therewith, *on condition* that it shall be so operated by the present owner, Sheffield Farms Company,

Inc., or a subsidiary thereof; that the building shall comply in all respects with the requirements for garage use, except that if the owner desires to occupy only such portion of the building as complies with such garage requirements, the balance of the building shall be left vacant and unoccupied, provided such parts are separated from the garage portion by fireproof walls with approved self-closing doors; that no additional openings shall be made in the side walls or lot line walls or roofs other than those now existing; that in the event the portion of the building to the south is used for garage purposes, the present skylights and all non-fireproof construction below the roof within that portion of the building shall be entirely removed; that the ceilings shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any new skylights constructed shall be erected not nearer than 15 ft. to the side lot line; that the requirements of the resolution adopted by the Board under Cal. No. 177-34-BZ shall be complied with except as to the variation of use as herein permitted; that there shall be no servicing or repairing of automobiles carried on in the premises; that there shall be no addition in height or area; that this variance shall continue only so long as the building is used as herein permitted; that space shall be provided for the privately owned cars of employees to be stored within the building during working hours; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

Resolved, further, that nothing in this resolution shall be deemed to prohibit installation of gasoline storage tanks and pumps within the building for the servicing of automobiles belonging to the owner or its subsidiary, *on condition* that no sign shall be placed on the exterior of the building indicating that gasoline is stored and that no gasoline shall be sold to passing motor vehicles, but shall be exclusively for the servicing as above provided; that such storage tanks shall not exceed two, each with 550 gallon capacity, and shall comply in all respects with all laws, rules and regulations applicable thereto."

APPEALS FROM ADMINISTRATIVE DECISIONS.

1312-39-A.

APPLICANT—Chester Baffa, for Albion C., Herbert L. and Edgar C. Buckley, owners.

SUBJECT—Appeal from decisions of the borough superintendent of buildings (Under section 35, General City Law—re Bed of Mapped Street).

PREMISES AFFECTED—East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (Block No. 3381, Lot No. 41), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Chester Baffa.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1312-39-A)

WHEREAS, Chester Baffa, for Albion C., Herbert L. and Edgar C. Buckley, owners, filed October 25, 1939, an appeal from decisions of the borough superintendent, to permit the erection of buildings in the bed of a mapped street; premises East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (bed of 121st avenue), (Block No. 3381, Lot No. 41), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, on

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N.B. Applications 6414 and 6415, relating to dwellings, dated October 16, 1939, reads:

"1. Construction within the bed of a proposed street must be submitted for approval to the Board of Standards & Appeals."

and

WHEREAS, the decisions of the borough superintendent, on N.B. Applications 6642 and 6443, relating to garages, read:

"1. Construction within the bed of a proposed street must be submitted for approval to the Board of Standards and Appeals."

and

WHEREAS, the premises consist of a plot 76 ft. by 100 ft. in area, located in a residence use D area district, on which it is proposed to erect two dwellings one and one-half stories in height and two private garages, of Class 4 construction; and

WHEREAS, the applicant contends that east of the affected premises are fourteen houses which are constructed in the bed of the mapped street; that there is no demand or necessity for the street in question; that the land in the mapped street is not yielding any return; and

WHEREAS, a report has been received from the Topographical Bureau of the Borough of Queens to the effect that it appears much damage has already been done by the erection of other buildings in the bed of the mapped street; that the continuity of the street has been destroyed, and requests that the applicant be directed to recognize the 60 ft. lines of 197th street as laid out on the maps.

Resolved, that the decisions of the borough superintendent, on N.B. Application Nos. 6414 and 6415, Objection No. 1, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, under the power given the Board under section 35 of the General City Law, to permit the construction in the bed of the proposed street, as proposed, *on condition* that the requirements of the zoning law for the general district shall be complied with, and that residential buildings shall be set back from the street line of 197th street, as proposed to be widened, for a distance of not less than 15 ft., except for the projection of open steps; that the garages may be constructed as indicated on plans filed under N.B. Application Nos. 6442 and 6443, *on further condition* that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto.

26-40-A.

APPLICANT—Samuel A. Hertz, for Florence B. Sykes and Clarence W. Meyers, owners (National Maritime Union of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—545 West 20th street and 120-126 11th avenue, northeast corner (Block No. 692, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel A. Hertz and Clarence W. Sykes.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—

(26-40-A)

WHEREAS, Samuel A. Hertz, for Florence B. Sykes and Clarence W. Meyers, owners, filed January 9, 1940, an appeal from decisions of the borough superintendent of buildings, affecting premises 545 West 20th street and 120-126

11th avenue, northeast corner (Block No. 692, Lot No. 7), Borough of Manhattan; and

WHEREAS, the decisions of the borough superintendent, on Applic. No. 3710 and 3711-39, read:

"1. Building should be fireproof 4:2:1 B. Code. Place of assembly is a Public Building. Reconsideration denied.

4. Exits should comply fully with Art. 7, B. Code. Reconsideration denied.

6. As shown on plans opening in wall does not comply with Horizontal Requirements 10:8:1 B. Code, and 6:6:1 B. Code. Reconsideration denied."

and

WHEREAS, the building is five stories (60 ft.) in height, 87 ft. 8½ in. by 92 ft. in area, of non-fireproof construction, located in an unrestricted use district, erected in 1910, and occupied: cellar, storage and boiler room; first floor, stores; second to fifth floors, inclusive, offices and manufacturing; it is proposed to occupy the buildings: cellar, storage and boiler room; first floor, stores, 50 persons; second floor, place of assembly for members of union only, 300 persons; third floor, same; fourth floor, offices and meeting room, 65 persons; fifth floor, office, 30 persons; and

WHEREAS, Violation Order No. 4831-38 was issued October 8, 1938, for change in use of second and fourth floors from business to public use without obtaining a certificate of occupancy; and

WHEREAS, the applicant contends, as to Objection No. 1, that the building is equipped with an interior fire alarm system; that the portion of the building known as 545 West 20th street is provided with one interior fireproof stairs enclosed in 12-inch brick walls from cellar to roof; that the portion of the building known as 120 to 126 11th avenue is also provided with an interior fireproof stairs, enclosed with 4-inch terra cotta partitions from cellar to roof; that there is also a horizontal exit through the party wall on second third, fourth and fifth stories, equipped with fireproof doors on both sides of openings; that there is also an exterior steel stairway 30 in. wide with 45 degree stairs, with access thereto from each portion of the building on each story by means of wood doors; that this fire escape is provided with a gooseneck ladder to roof and double-rung ladder from second story balcony to fireproof extension, from which egress can be had by means of a stationary ladder to rear yard; that it is proposed to provide a steel stairway, 24 in. wide, 45 degree, leading from second story balcony to fireproof roof of extension and thence to the rear yard by which access can be had through a new door to be provided by cutting down the first story window to floor level thus providing egress to the street through the first floor fireproof public hall in the portion of the building known as 120-126 11th avenue; that the buildings are not a public use within the meaning of the code; that this condition could have been accepted under the old building code, as the proposed use is not above the 40 ft. limit provided therein; that as to Objection No. 4, it is agreed that the number of occupants shall not exceed that legally permitted by the exits, provided credit is given for the outside stairway and the horizontal exits; that as to Objection No. 6, it is requested that the existing sliding underwriters' doors at both sides of openings on second, third, fourth and fifth floors remain in lieu of requiring one swinging door to comply with the code; that the present doors are in good condition and the opening are not excessive in area and only slightly exceed the limitations in width prescribed by the code.

Resolved, that the decisions of the borough superintendent, on Alt. Applic. Nos. 3710 and 3711-39, Objections 1 and 4, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the existing stairway in each building shall be enclosed in fireproof construction, exiting directly to the street; that the horizontal exit shall be maintained on each upper floors equipped with approved fireproof doors, provided each such opening does not exceed 5 ft. in width; that the exterior fire escape shall be acces-

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sible from each building and shall be extended to the yard with unimpeded exit to West 21st street, through the adjoining vacant lot, provided that the doors to such fire escapes shall be fireproof, opening in the direction of exit; that the windows along the course of the fire escape shall be fireproof, self-closing; that a letter shall be filed with the borough superintendent containing permission for access through the vacant lot to 21st street from the foot of the fire escape; that the passageway from the foot of said fire escape across such lot shall be at all times in a safe condition; that a light shall be provided during the occupancy of the building in the evening to illuminate such passageway; that the occupancy of each building shall at no time exceed 120 persons on each of the second and third floors; that the first floor construction shall be fireproof; that the second floor construction may be of wood, provided the ceiling throughout is protected with metal not less than 27 gauge; that this variance shall continue only so long as the second and third floors are occupied as proposed and that by the same tenant occupying the fourth and fifth floors on which floors occupancy shall not exceed the capacity of the primary means of exit from each building; that the doors separating the boiler room from the balance of the building shall be of fireproof construction.

136-40-A.

APPLICANT—Westinghouse Electric Elevator Company, for 877 Fifth Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—875-877 Fifth avenue and 2-4 East 69th street, southeast corner (Block No. 1383, Lot Nos. 69 to 72, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Wieser, Jr.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—
(136-40-A)

WHEREAS, Westinghouse Electric Elevator Company, for 877 Fifth Avenue Corporation, owner, filed February 1, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 875-877 Fifth avenue and 2-4 East 69th street, southeast corner (Block No. 1383, Lot Nos. 69-72, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Elevator Applic. No. 391-39, dated January 30, on amendment filed January 24, 1940, reads:

"1. Side emergency exits must be provided in the adjacent sides of elevators 1 & 2 and 3 & 4 as required by sect. 13.3.3.3.7."

and

WHEREAS, the building will be 18 stories and penthouse (232 ft. 4 in.) in height, 100 ft. 10 in. by 140 ft. in area; of Class 1 construction; located in a residence use B area district; equipped with a standpipe system and occupied: cellar, mechanical equipment and storage, 10 persons; first floor, apartments, doctor's offices and maids rooms, 25 persons; second floor to penthouse, inclusive, apartments; and

WHEREAS, the applicant contends that the elevators are arranged so that the passenger car opens upon one corridor, and the service car upon another; that the location of the counterweights, which are now between the cars, cannot be changed to permit the use of emergency exits in the side and rear panels without increasing the width of the service elevator hoistways or decreasing the width of the car; that

if the wall is omitted, the hoistway entrances for all cars will be equipped with emergency key devices and exit doors, as required by code for cars in separate shaft; that the possibility of passing from the top of one car to the top of another will be an additional means of egress.

Resolved, that the decision of the borough superintendent, as to Elevator Applic. No. 391-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that in all other respects the elevator installation meets all the requirements of the building code for an installation in a single shaftway.

161-40-A.

APPLICANT—Starrett and Van Vleck, for James McCreery and Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3-9 West 34th street, north side, 150 ft. west of Fifth avenue, and 4-16 West 35th street (Block No. 836, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Gaertner.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—

(161-40-A)

WHEREAS, Starrett and Van Vleck, for James McCreery and Company, owner, filed February 9, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 3-9 West 34th street, north side, 150 ft. west of Fifth avenue and 4-16 West 35th street (Block No. 836, Lot No. 26), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on B.N. Applic. No. 336-40, Item 1, dated February 1, 1940, reads:

"Proposed projection beyond building line is contrary to Sect. 2.4.1 Bldg. Code."

and

WHEREAS, the building is 10 stories (150 ft.) in height, 150 ft. by 197 ft. 6 in. in area, of Class 1 construction, equipped with a standpipe and sprinkler system, located in an unrestricted retail use B area district, erected in 1905, and occupied throughout as a department store; and

WHEREAS, the applicant contends that at present there exists at the street level on the 34th street frontage, large plate glass and bronze show windows located on the building line, and set between granite piers, which have rustications projecting 1½ inches beyond the building line; that the piers and show windows set on a base, project ¾ inches beyond the building line; that it is proposed to move back into the building the large plate glass show windows for a distance of 30 inches from the building line; that in addition, display cases are to be placed on the face of piers which will project ¾ inches beyond the building line into the street; the base course under the display cases will be entirely within the building; that the installation of these display cases would be less objectionable than a five foot high base projecting 10 inches, or rustications projecting 4 inches, and would prove less troublesome to remove.

Resolved, that the decision of the borough superintendent on B.N. Applic. No. 336-40, Item 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the show window construction shall be substantially as indicated on plans filed with such building notice; that no portion of the proposed show cases shall ex-

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tend or project more than 3¼ inches beyond the building line, except that the bases of such show cases may project for a distance of not over 4¼ inches; that in all other respects all laws, rules and regulations applicable shall be complied with.

186-40-A.

APPLICANT—Joshua Tabatchnik, for Henry Friedland, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—9277-9289 Shore road and 1-29 93rd street, northeast corner (Block No. 6100, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joshua Tabatchnik and Arnold W. Lederer.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

605-39-A.

APPLICANT—Arnold W. Lederer, for Kehel Cahsed Chernobel, owner.

SUBJECT—Application for consideration—reopening and reconsideration on a new proposal and a new decision—re Appeal from a decision of the borough superintendent of buildings (previously denied).

PREMISES AFFECTED—1520 49th street, south side, 140 ft. east of 15th avenue (Block No. 5453, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

THE RESOLUTION—

(605-39-A)

WHEREAS, Arnold W. Lederer, for Kehel Cahsed Chernobel, owner, filed on May 10, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1520 49th street, south side, 140 ft. east of 15th avenue (Block No. 5453, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated May 3, 1939, re Alt. Applic. No. 211-39, reads:

"Proposed change of occupancy of a frame bldg. from dwelling purposes to synagogue (public bldg.) not permitted. See Secs. 2-1-3-5 & 4-2-1 of Code. Above application is hereby denied."

and

WHEREAS, the building is 3 stories (36 ft.) in height, 26 ft. by 64 ft. in area; of frame construction; located in a residence use "C" area district; erected about 20 years ago; occupied approximately one year as follows: cellar, household storage, no persons; first floor, Synagogue, prayer room; second floor, one family; third floor, one family; total occupancy, synagogue and two families. The occupancy as shown on the records of the Division of Housing is: first floor, one family; second floor, same; third floor, same; and

WHEREAS, the applicant contends that the conversion of

the first floor occupancy to a synagogue with an investment of approximately \$2,500 was made by the owner, a non-profit making religious group; that it is now willing to make such alterations as will provide safety for the occupants; that the building has side yards on both sides and is equipped with a 60 degree fire escape; that it is proposed to brick veneer all exterior walls on the first story; that in the event any partitions are removed in the future, the areas of rooms so combined, will be provided with a ceiling of metal lath and two coats of Portland cement plaster or other 1 hr. fire test materials; that it is proposed to fire-retard the cellar ceiling and enclose interior cellar stairs with 4-inch terra cotta blocks with fireproof self-closing door at cellar level; that the Rabbi who presides at the synagogue will occupy the second floor; that a caretaker will occupy the third floor and that the building will be removed from the multiple dwelling class; and

WHEREAS, this appeal was denied by the Board July 20, 1939; and

WHEREAS, the applicant has asked for reconsideration on the basis of reconstruction of the building so as to comply as far as practicable with the requirements of the code therefor.

Resolved, that the Board of Standards and Appeals does hereby reconsider its decision as expressed in resolution of July 20, 1939, so that the resolution shall read:

"Resolved, that the decision of the borough superintendent, as to Alt. Applic. Nos. 211-39 and 4588-39, Objection No. 3, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the lath and stucco on the exterior of the building on all sides shall be removed and the building shall be faced with brick work; that such brick work shall also be carried between studs to a total thickness of not less than 8 inches, and for the full height from water table to plate at the second story level; that the entire cellar ceiling shall be fire-retarded with metal lath and plaster; that the first tier of beams shall have a carrying capacity per superficial foot of not less than 100 lbs. per live load; that the floor beams between the cellar and the first floor shall be fire-stopped in accordance with the requirements of the code; that the exits from the street floor shall meet the requirements of the building code therefor; that the proposed public occupancy shall not be extended above the first floor; that the second floor and attic shall be used solely as a residence for the Rabbi and Sexton, in connection with the proposed public occupancy; that the stairway from the first floor to the cellar shall be enclosed in accordance with the requirements of the building code; that the building shall not be further extended in height or area and that the lot shall not be reduced; that such portable fire-fighting extinguishers shall be maintained as the fire commissioner shall direct.

1024-39-A.

APPLICANT—Seacoast Laboratories, Inc. (lessee), for Estate of Franklin S. Clark, owner.

SUBJECT—Application for consideration—reopening and reconsideration—re new proposal—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Bennett Vroman.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy	4
Negative	0

MINUTES

THE RESOLUTION—

(1024-39-A)

WHEREAS, Seacoast Laboratories, Inc. (lessee), for Estate of Franklin S. Clark, owner, filed August 3, 1939, an appeal from an order of the fire commissioner, affecting premises 156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 18412-C issued August 2, 1939, reads:

"Surrender to bearer fire department permit numbered 181744 dated to expire August 22nd, 1939, which is hereby revoked:

REASON: Manufacturing a combustible mixture 'Sealtox' the manufacture of which on these premises is prohibited by Section C-19-59-0.B-6, Art. 9, New York City Administrative Code as provided for in Section C-19-62.0.A, Art. 10, Administrative Code.

YOU ARE THEREFORE, HEREBY, ADVISED THAT,

1. Permit to manufacture a combustible mixture on these premises may not be issued for the reason stated and such manufacture without a permit is prohibited by Sec. C-19-61.0, Art. 10, Administrative Code."

and

WHEREAS, the building is 3 stories (40 ft.) in height, 20 ft. by 80 ft. in area at first floor and 20 ft. by 55 ft. in area on typical floor; erected in 1870; located in an unrestricted use district; of Class 3 and 4 construction; occupied: cellar, boiler room and office, 1 person; first floor, storage, shipping and mixing soap powders, detergents and insecticides, 3 persons; second floor, offices, 4 persons; third floor; storage of empty cartons, 3 persons, not more than 7 persons throughout the building; and

WHEREAS, the following materials are stored on the premises: 10 to 60 drums of Turpentine, 5 to 10 drums of Pine Tar, 10 to 60 drums of Pine Oil, 5 to 10 drums of Rosin, 5 to 15 drums of Coal Tar Disinfectant and 5 to 20 drums of Kerosene; and

WHEREAS, the applicant contends that the business conducted on the premises has been established at this location for over fifty years; that the insecticide manufacture is a cold mix combining pyrethrum extract and kerosene; that there is no heat used in any product manufactured on the premises; and

WHEREAS, this appeal was denied by the Board October 10, 1939, and owner requested reconsideration of the appeal.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted October 10, 1939, so that as amended it shall read:

"Resolved, that the order of the fire commissioner, No. 18412-C, be and it hereby is affirmed and that the appeal be and it hereby is denied.

Resolved, further, that in the event the owner discontinues the manufacture of a combustible mixture, which was the subject of the Order No. 18412C, appealed from, the fire commissioner may reissue the permit for the storage of materials in drums, provided such storage meets with all requirements of law applicable thereto and that such portable fire extinguishers are installed and maintained as he shall direct."

APPLIANCES SUBMITTED FOR APPROVAL.

426-38-SA.

APPLICANT—American Radiator and Standard Sanitary Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment to include approval of Model L—re Arcoflame Oil Burner, Models B and C, previously approved.

APPEARANCES—

For Applicant: N. H. Richfield.

ACTION OF BOARD—Application reopened and referred to Engineer of Board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

746-38-SA.

APPLICANT—Service Station Equipment Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to approval of additional models—re Bennett Pumps for Motor Fuels, Models 156 and 375, previously approved.

APPEARANCES—None.

ACTION OF BOARD—Application reopened and referred to Engineer of Board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

1354-39-SA.

APPLICANT—The S. S. White Dental Manufacturing Company, owner.

SUBJECT—The S. S. White Master Dental Unit, approval of.

APPEARANCES—None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

THE RESOLUTION—

(1354-39-SA)

WHEREAS, The S. S. White Dental Manufacturing Company, owner, filed November 3, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as The S. S. White Master Dental Unit; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for Test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 1354-39-SA

Approval of the S.S. White Master Dental Unit

The S. S. White Dental Mfg. Co., owner, filed November 3, 1939, an application with the Board of Standards and Appeals for approval of the S. S. White Master Dental Unit under the provisions of C26-1277.O-h (14.8.2.8) Administrative Building Code.

This appliance was subjected to a test at the vacuum test bench of the Department of Water Supply, Gas and Electricity at 32 Vandewater street, on January 22, 1940.

This test was witnessed by Mr. R. C. Angell and W. T. Whitbeck representing the S. S. White Dental Manufacturing Company, and Mr. L. V. Huber, representing the Board of Standards and Appeals, and was conducted by Chief Inspector O. J. Burke of this Department.

The Master Dental Unit includes two water connections which are classified as being submerged inlets, these being the cuspidor and the aspirator. The cuspidor outlet is equipped with an air gap fitting into the water supply tubing directly above the cuspidor. The water is introduced through this gap by means of a throating arrangement in the tube and the gap being open to atmosphere both at top and bottom.

MINUTES

The aspirator water supply is protected against siphonage by an airport valve located on the pressure side of the vacuum throat in such a manner as to close the airport whenever water is introduced into the unit. The airport is equipped with a tubing extending to a point over the cuspidor so that any leakage at the airport is noted immediately by a dropping from the tube into the cuspidor. The airport valve consists of a stainless steel rod equipped with a rubber disc that, under internal hydrostatic pressure, is seated against a bakelite seat located in the airport.

The assembly unit was subjected to a vacuum the equivalent of 28 inches of mercury with the cuspidor filled to the overflow rim with simulated contaminated water. This vacuum failed to draw in water from the flooded cuspidor nor was any contaminated water drawn into the risers through the aspirator when this unit was submerged in the simulated contaminated water. The unit was subjected to an endurance test in five minutes with a developed vacuum the equivalent of fifteen inches on the cuspidor, the relatively low vacuum developed being due to the relief through the air gap described above. The aspirator unit was subjected to an endurance test of five minutes, developing a vacuum the equivalent of 25 $\frac{3}{4}$ " of mercury. The unit successfully withstood the endurance tests above described.

As a result of the above test it is recommended that the S. S. White Master Dental Unit be approved for use in New York City as conforming to the requirement of Sect. C26.1277.0-h (14.8.2.8) Administrative Building Code on condition that the appliance bear a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1354-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the S. S. White Master Dental Unit, on condition that the appliance be manufactured, installed and labelled, stamped or tagged in accordance with above report.

91-40-SA.

APPLICANT—The Linde Air Products Company, owner.

SUBJECT—Oxweld W-29 Welding Blowpipe; Purox No. 33 Welding Blowpipe and No. CA-33 Cutting Attachment; Purox No. 34 Welding Blowpipe and No. CA-34 Cutting Attachment; Prest-O-Weld C-108 Cutting Blowpipe; Prest-O-Weld W-108 Welding Blowpipe and CW-108 Cutting Attachment; Prest-O-Weld W-109 Welding Blowpipe and CW-109 Cutting Attachment; Oxweld MP-5 Stationary Acetylene Generator; Oxweld MP-7 Portable or Stationary Acetylene Generator; Oxweld MP-9 Portable Acetylene Generator; approval of.

APPEARANCES—

For Applicant: H. C. Stelling.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy 4

Negative 0

THE RESOLUTION—

(91-40-SA)

WHEREAS, The Linde Air Products Company, owner, filed January 26, 1940, an application with the Board of Standards and Appeals for approval of the appliances known as the:

Oxweld W-29 Welding Blowpipe
Purox No. 33 Welding Blowpipe
Purox No. 33-CA Cutting Attachment
Purox No. 34 Welding Blowpipe
Purox No. 34-CA Cutting Attachment
Prest-O-Weld C-108 Cutting Blowpipe
Prest-O-Weld W-108 Welding Blowpipe
Prest-O-Weld CW-108 Cutting Attachment
Prest-O-Weld W-109 Welding Blowpipe
Prest-O-Weld CW-109 Cutting Attachment
Oxweld MP-5 Stationary Medium Pressure Acetylene Generator
Oxweld MP-7 Portable or Stationary Medium-Pressure Acetylene Generator
Oxweld MP-9 Portable Medium-Pressure Acetylene Generator; and

WHEREAS, these appliances were submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 91-40-SA

Approval of:

Oxweld W-29 Welding Blowpipe
Purox No. 33 Welding Blowpipe and
No. CA-33 Cutting Attachment
Purox No. 34 Welding Blowpipe and
No. CA-34 Cutting Attachment
Prest-O-Weld C-108 Cutting Blowpipe
Prest-O-Weld C-108 Welding Blowpipe and
CW-108 Cutting Attachment
Prest-O-Weld W-109 Welding Blowpipe and
CW-109 Cutting Attachment
Oxweld MP-5 Stationary Acetylene Generator
Oxweld MP-7 Portable or Stationary Acetylene Generator
Oxweld MP-9 Portable Acetylene Generator.

The Linde Air Products Company of 30 East 42nd street, New York City, filed January 26, 1940, an application with the Board of Standards and Appeals for the approval of the above tested apparatus manufactured by the Oxweld Acetylene Company, Newark, N. J., and Los Angeles, Cal., and the generators manufactured by The Prest-O-Lite Company, Inc., Indianapolis, Indiana (The Linde Air Products Company, Prest-O-Lite Company, Inc., and Oxweld Acetylene Company are all units of Union Carbide and Carbon Corporation) under C19-91.0 C19-92.0 and C19-93.0 of the Administrative Code.

The above listed blowpipes and cutting attachments are all provided with standard non-interchangeable hose connections and the valve stems of the gas control valves are so constructed that they cannot be removed by unscrewing them without removing the packing nut. The non-gas-carrying spaces of the handles are vented.

The Oxweld W-29 Welding Blowpipe is of the injector type and is identical with the Oxweld W-29 included in New York Fire Department Certificate of Approval No. 128 as far as the internal construction is concerned. The differences between the original blowpipe and the present model are that the external appearance has been changed somewhat to streamline the blowpipe particularly forward of the valves and the hose connections are for "A" size and that adaptors are furnished to connect to the "B" size.

MINUTES

The Purox No. 33 and No. 34 Welding Blowpipes and their cutting attachments CA-33 and CA-34 are *medium-pressure type* and are practically the same as the No. 35 Blowpipe which is covered by New York Fire Department Certificate of Approval No. 425, except that they are smaller in size and capacity and the No. 33 Welding Blowpipe has its valves located near the front of the handle instead of at the rear. This is customary with the very small blowpipes.

THE PREST-O-WELD C-108 CUTTING BLOWPIPE W-108 WELDING BLOWPIPE AND CW-108 CUTTING ATTACHMENT

These are new blowpipes in the Prest-O-Weld line. They are of *medium-pressure type* and use the same detachable rear body that is used on the C-105 and W-105 Blowpipes and CW-105 Cutting Attachments as covered by New York Fire Department Certificate of Approval No. 491.

THE PREST-O-WELD W-109 WELDING BLOWPIPE CW-109 CUTTING ATTACHMENT

These are identical to the Purox No. 33 Welding Blowpipe and its cutting attachment, the CA No. 33 except for outside appearance. The difference is accomplished by employing different ribbing for the design on the handle tubing and valve wheel periphery and a slightly different form cutting valve lever.

OXWELD MP-5 MEDIUM PRESSURE STATIONARY ACETYLENE GENERATORS

Specifications

Capacity $\frac{1}{4}$ by 1/12 in. (Quarter Size)			
Carbide	150 lb.	300 lb.	500 lb.
Generating Capacity—			
per hour	300 cu. ft.	600 cu. ft.	1000 cu. ft.
Weight — Empty....	780 lb.	1440 lb.	1590 lb.
Weight — Charged with Carbide and			
Water	2180 lb.	4240 lb.	6280 lb.
Weight — Shipping..	1190 lb.	1955 lb.	2540 lb.
Height, overall	88 in.	94 in.	114 in.
Diameter Generating Chamber	43 in.	60 in.	60 in.

The MP-5 Stationary Medium Pressure Acetylene Generators, with 150, 300 and 500 lb. carbide capacities, have a rating of 300, 600 and 1,000 cu. ft. acetylene per hour.

All controls and operating mechanisms are centralized and enclosed within a recessed section of the dome. This compartment is protected by hinged doors which can be padlocked. Eyelets are provided on the dome, so that it can be completely removed with chain falls. A large handhole on the side of the generators makes the feeding mechanism, carbide valve and filter accessible without removing the dome. To insure a gas-tight seal and to eliminate any possibility of slaking while the generators are out of service for long periods, a soft rubber seat is provided on the hopper outlet.

The carbide gravity-type feed valve is a self-contained unit, actuated by a large diaphragm-type feed control. Pressure on the diaphragm is exerted by a housed preloaded spring, set at factory to deliver acetylene at about 13 lb. per sq. in. This pressure can be changed within a range of about two pounds by an external adjustment. Pressure variation within the generator is not more than $\frac{3}{4}$ lb. per sq. in. at all rates of generation. A special, built-in regulator takes care of this slight variation and insures exact, positive control of pressure at all times.

ACETYLENE GENERATORS

To operate the MP-5 Stationary Generator, it is necessary only to open the feed lock and move the lever

a few times until the generator pressure rises to the proper level. No adjustment of the feed mechanism is required. After the delivery pressure has been set on the regulator, the generator will deliver acetylene at an even pressure until the charge is exhausted.

A carbide valve cleaner is built into the generator hopper. This is a three-bladed metal device, which is operated by a socket wrench through the charging door to break up any obstruction to the flow of carbide and to clean the face of the valve. Large carbide charging doors and water filling openings and lubricated valves speed up charging and emptying. An operating stand on which the operator can stand while handling the controls of the generator is provided on the 500-lb. size.

A hydraulic back-pressure valve effectively prevents flashback or a reverse flow of gases from traveling back into the generating chamber. Relief valves are provided, one for the generating chamber and one for the hydraulic back pressure valve. An interference mechanism operates so that the feed must be locked and the relief valves opened before the charging door can be opened. An interference rod on the water filling valve operates the generator vent cock. Thus water cannot be added unless the cock is open to allow for displacement of gas.

Durable materials—stainless steel for essential mechanism parts, aluminum feed valve, bronze and steel castings—insure maximum life. The generating chamber as well as all attachments and connections are welded to eliminate leakage and to increase strength and resistance to corrosion. The MP-5 Generator is approved for stationary use by the Underwriters Laboratories.

OXWELD MP-7 MEDIUM PRESSURE PORTABLE OR STATIONARY ACETYLENE GENERATORS

Specifications

Capacity $\frac{1}{4}$ by 1/12 in. (Quarter Size)	Carbide 50 lb.
Generating Capacity—per hour	100 cu. ft.
Weight — Empty	420 lb.
Weight — Charged with water and carbide..	920 lb.
Weight — Shipping	600 lb.
Height, Overall	63 in.
Diameter Generating Chamber	30 in.

The MP-7 Portable or Stationary Generator has a 50-pound carbide capacity with a double rating of 100 cubic feet of acetylene per hour. It has the same type of gravity feeding mechanism as the MP-5 Generators. The MP-7 does not require a regulator but operates under an adjustable feed pressure. It is not necessary to run the pressure-adjusting handwheel to zero when work is stopped or the generator is recharged. A simple feed lock lever permits manual locking of the carbide feed valve in closed position. When the generator is started again or recharged as directed, acetylene will automatically be delivered at the set pressure.

Construction of the MP-7 is achieved through the use of pressed steel parts and welding. The dome can be tilted back for inspection of the carbide hopper, feed control mechanism and hydraulic back-pressure valve, which are assembled within it. The hopper outlet is formed with a drip flange to keep condensed moisture away from the feed valve. A moisture trap to remove entrained moisture is provided beyond the service valve. Special handles for the water-filling and over-flow valves insure proper sequence of operations in recharging the MP-7. It has the same type of carbide valve cleaner and lubricated plug valves for overflow, residue and water filling as the larger generators.

The hydraulic back-pressure valve of the MP-7 prevents a flashback or a reverse flow of gases from traveling back into the generating chamber. Relief valves are provided, one for the hydraulic back-pressure valve and one for the generating chamber. An interference

MINUTES

mechanism insures that the relief valves are open and the feed valve locked before the charging door can be opened. *Instructions for operation are etched on a plate attached to the side of the generator.* The MP-7 Generator is approved by Underwriters' Laboratories, Inc., and the Factory Mutual Laboratories for portable or stationary use. For stationary installations, an overflow seal pot and vent tube shall be attached to the overflow valve and vent opening.

OXWELD MP-9 MEDIUM PRESSURE PORTABLE ACETYLENE GENERATORS

Specifications

Carbide Capacity (14 ND Carbide)..... 25 lb.
Water Capacity 25 gal.
Rated Generating Capacity 50 cu. ft. per. hr.
Maximum Generating Pressure 15 lb. per sq. in.
Weight — Empty 129 lb.
Weight — Fully Charged 360 lb.
Weight — Shipping 205 lb.
Height, Overall 56 in.
Diameter — Hopper 12¼ in.
Diameter— Generating Chamber 18½ in.
Diameter — Generating Chamber, bottom flange. 21 in.

The Oxweld MP-9 Portable Acetylene Generator generates acetylene from size 14 ND Carbide.

MP-9 Acetylene Generator delivers acetylene at a sufficient rate and quantity to operate a welding or cutting blowpipe continuously for several hours on all but the heaviest operations. A full charge will yield over 100 cubic feet of acetylene. The generator produces acetylene in a smooth flow with no appreciable variations in the gas pressure.

The generator consists essentially of three main parts—generating chamber, carbide hopper, and feed-control unit. The generating chamber is a steel shell which holds 25 gallons of water when it is filled to the correct level. The carbide hopper, mounted directly above it, has a capacity up to 25 pounds of carbide. Housed within and above the hopper is the feed control unit.

After the generator is charged and properly vented of the air-gas mixture within the generator, the desired delivery pressure is established by throwing the operating handle to the *feed* position and cranking it until the pressure gauge shows the desired reading. Generation of acetylene is automatic after the pressure is built up. The pressure is kept constant by the automatic opening and closing of the carbide feed valve which starts and stops the flow of carbide into the water.

The operator is required to work only one lever in starting and stopping the automatic generation of acetylene. This operating handle is conveniently located on the top of the carbide hopper. The same operating handle is used in initially setting the desired delivery pressure, or in changing the delivery pressure as the work demands. Such concentration of control in one lever greatly simplifies and speeds the operation of the generator.

There are two relief valves set to relieve excess pressure automatically, one for the generating chamber, the other for the hydraulic back-pressure valve. The large hydraulic back-pressure valve prevents the carrying over of water to the hose and checks any reverse flow of gas. The handle for the blade type residue agitator, for thoroughly stirring the residue during draining, is conveniently placed near the residue valve. A simple interference mechanism allows only the proper sequence of operations during the recharging of the generator. *Full instruction for operation are etched on a plate attached to the side of the generator.*

The MP-9 is durably built with a minimum of ex-

posed parts. Exceptional strength is obtained by such means as pressed steel parts and steel welding. Steel handles are so placed that the generator balances well when carried.

The MP-9 Acetylene Generator is listed under the Re-Examination Service of the Underwriters' Laboratories, Inc.

Tests were conducted by the Committee of the Board at the Newark, New Jersey, plant Friday February 9, 1940.

The blowpipes and the cutting attachments were subjected to flashback tests without any flashbacks occurring.

The generators were tested under operating conditions, emptied and loaded and tested for pressure.

As a result of this inspection and test it is recommended that the—

Oxweld W-29 Welding Blowpipe,

Purox No. 33 Welding Blowpipe and

No. CA-33 Cutting Attachment,

Purox No. 34 Welding Blowpipe and

No. CA-34 Cutting Attachment,

Prest-O-Weld C-108 Cutting Blowpipe,

Prest-O-Weld W-108 Welding Blowpipe and

CW-108 Cutting Attachment

Prest-O-Weld W-109 Welding Blowpipe and

CW-109 Cutting Attachment

Oxweld MP-5 Stationary Acetylene Generator,

Oxweld MP-7 Portable or Stationary Acetylene Generator,

Oxweld MP-9 Portable Acetylene Generator.

be approved for use in New York City, when installed and operated in accordance with the requirements of C19-91.0, C19-92.0, and C19-93.0 and with the above report on condition that the apparatus bear a label reading:

Approved
BSA — NYC
Cal. 91-40-SA

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of these appliances.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliances known as the Oxweld W 29 Welding Blowpipe, Purox No. 33 Welding Blowpipe, Purox No. CA-33 Cutting Attachment, Purox No. 34 Welding Blowpipe, Purox No. CA-34 Cutting Attachment, Prest-O-Weld C108 Cutting Blowpipe, Prest-O-Weld W108 Welding Blowpipe, Prest-O-Weld CW108 Cutting Attachment, Prest-O-Weld W109 Welding Blowpipe, Prest-O-Weld CW109 Cutting Attachment, Oxweld MP-5 Acetylene Generator—Stationary, Oxweld MP-7 Acetylene Generator—Portable or Stationary and Oxweld MP-9 Portable Acetylene Generator, *on condition* that the appliances be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

Adjourned, 4:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING .

FRIDAY MORNING, FEBRUARY 23, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

MINUTES

BUILDING ZONE CASES.

1415-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED — Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Devany, Jr., Fred S. Loewenthal, Ben Levine, Louis L. Altman, John A. Larkin, James Scala and Louis Gueri.

For Opposition: Mary Louise Field, Martin Conboy, Ira S. Robbins, Thomas J. Nevins, Elliott H. Lee, Mavis C. Gallie, Richard Mugler, E. Pauker, Mrs. Johnson and Professor O'Connell.

ACTION OF BOARD—Hearing closed; no further argument. Laid over for decision of the Board after receipt of briefs to be filed with the Board not later than March 8, 1940. No date for decision set.

1416-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Devany, Jr., Louis L. Altman, John A. Larkin, James Scala, Louis Gueri, Fred S. Loewenthal and Ben Levine.

For Opposition: Mary L. Field, Martin Conboy, Ira S. Robbins, Thomas J. Nevins, Elliott H. Lee, Mavis C. Gallie, Richard Mugler, E. Pauker, Mrs. Johnson and Professor O'Connell.

ACTION OF BOARD—Hearing closed; no further argument. Laid over for decision of the Board after receipt of briefs to be filed with the Board not later than March 8, 1940. No date for decision set.

1417-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Devany, Jr., Louis L. Altman, John A. Larkin, James Scala, Louis Gueri, Fred S. Loewenthal and Ben Levine.

For Opposition: Mary L. Field, Martin Conboy, Ira S. Robbins, Thomas J. Nevins, Elliott H. Lee,

Mavis C. Gallie, Richard Mugler, E. Pauker, Mrs. Johnson and Professor O'Connell.

ACTION OF BOARD—Hearing closed; no further argument. Laid over for decision of the Board after receipt of briefs to be filed with the Board not later than March 8, 1940. No date for decision set.

1418-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Devany, Jr., Louis L. Altman, John A. Larkin, James Scala, Louis Gueri, Fred S. Loewenthal and Ben Levine.

For Opposition: Mary L. Field, Martin Conboy, Ira S. Robbins, Thomas J. Nevins, Elliott H. Lee, Mavis C. Gallie, Richard Mugler, E. Pauker, Mrs. Johnson and Professor O'Connell.

ACTION OF BOARD—Hearing closed; no further argument. Laid over for decision of the Board after receipt of briefs to be filed with the Board not later than March 8, 1940. No date for decision set.

1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—Southwest corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Devany, Jr., Louis L. Altman, John A. Larkin, James Scala, Louis Gueri, Fred S. Loewenthal and Ben Levine.

For Opposition: Mary L. Field, Martin Conboy, Ira S. Robbins, Thomas J. Nevins, Elliott H. Lee, Mavis C. Gallie, Richard Mugler, E. Pauker, Mrs. Johnson and Professor O'Connell.

ACTION OF BOARD—Hearing closed; no further argument. Laid over for decision of the Board after receipt of briefs to be filed with the Board not later than March 8, 1940. No date for decision set.

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Independence avenue, 279.59 ft. south of West 246th street (Block

MINUTES

No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Devany, Jr., Louis L. Altman, John A. Larkin, James Scala, Louis Gueri, Fred S. Loewenthal and Ben Levine.

For Opposition: Mary L. Field, Martin Conboy, Ira S. Robbins, Thomas J. Nevins, Elliott H. Lee, Mavis C. Gallie, Richard Mugler, E. Pauker, Mrs. Johnson and Professor O'Connell.

ACTION OF BOARD—Hearing closed; no further argument. Laid over for decision of the Board after receipt of briefs to be filed with the Board not later than March 8, 1940. No date for decision set.

Adjourned, 11:10 A.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article I, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, ¾ in. heads.
- Tanks over 120 in. in diameter to be of ¾ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$P \times r \times F$$

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5 5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
- Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic when operating,

shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump	763-25-SA
American Marsh Simplex	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump	628-32-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
Deming Double Oscillating Force Pump	458-27-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Fuel Oil Pump	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump	475-32-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump	60-28-SA
Goulds Rotary Oil Pump	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	563-30-SA
Goulds Triplex Plunger	257-22-SA	Union Steam Pump for Fuel Oil	705-30-SA
Hardinge Fuel Oil Pump	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump	503-24-SA	Warren Oil Pump	1169-23-SA
Koerting Gear Pump	1264-25-SA	Wayne Oil Pump & Fan Set	1155-25-SA
Kraissl Fuel Oil Pump	60-28-SA	Webster Fuel Oil Pump, Types A, Q and T ..	23-34-SA
Leiman Rotary	95-24-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Marsh Fuel Oil Pump	1050-23-SA	Worthington Show Model Duplex	194-22-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Yale and Towne Tri-Rotor Pump	191-39-SA
M. D. Rotary	52-27-SA		

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FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair treads constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fires escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor level and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

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The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupants as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unob-

structed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)....	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to March 5, 1940.

Cal. No. Department. Premises Affected.

213-40-SM.....Nelco Snowite, Granular, Granulated and Pulverized Quicklime, manufactured by New England Lime Company, Material.

214-40-SA.....Acme Type 11 VA, Non-Code Closed Circuit Interior Fire Alarm System, Appliance.

215-40-BZ....H.B.Q.....164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens, Alt. 67-40.

216-40-BZ....H.B.M.....306-308 East 107th street, south side, 125 ft. east of Second avenue (Block No. 1678, Lot No. 46), Borough of Manhattan, Drop Curb Applic. 10-40.

217-40-A.....H.B.M.....930-933 Fifth avenue and 1-3 East 74th street, northeast corner (Block No. 1389, Lot Nos. 1, 2, 4 and 5), Borough of Manhattan, Elevator Applic. 10-40.

218-40-BZ....H.B.Q.....43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and extending through to 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens, Alt. 154-40.

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108-37-BZ....H.B.Q....90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens,

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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

COURT DECISION.

Schneider v. Murdock—On May 31, 1939, Board denied under section 21, application for a zoning variance to erect a business building at 1334-1336 Storrow street, 50 ft. north of Benedict avenue, Bronx. Upon Court review Mr. Justice Noonan sustained decision of the Board (N. Y. Law Journal, February 29, 1940).

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Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
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Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9
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Fire Retarding Rules for Garages, etc.	Feb. 20, 1940—Vol. 25, No. 8
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Insulating Fibre Board Rules	Mar. 5, 1940—Vol. 25, No. 10
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Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

MARCH 5, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 5, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 735-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Horace Ginsbern, applicant, on behalf of 179 Seventh Avenue Company, Inc., owner, to permit partly in a retail use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160 West 21st street, south side, 85 ft. east of Seventh avenue and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry.

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dry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 1446-39-BZ—Application, November 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Suburban Holding Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis (Cross Island) boulevard and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

HARRIS H. MURDOCK. *Chairman.*

MARCH 5, 1940, 2 P. M.

Appeals from Administrative Decisions.

112-40-A—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

71-40-A—135-163 East 95th street, 743-765 Lexington avenue, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan.

208-40-A—14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan.

217-40-A—930-933 Fifth avenue and 1-3 East 74th street, northeast corner (Block No. 1389, Lot Nos. 1, 2, 4 and 5), Borough of Manhattan.

234-40-A—20-22 West 39th street, south side, 303 ft. west of Fifth avenue (Block No. 840, Lot Nos. 60 and 61), Borough of Manhattan.

220-40-A—1651 Zerega avenue, south side, 72.57 ft. east of Maclay avenue (Block No. 3991, Lot No. 78), Borough of The Bronx.

212-40-A—28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens.

Variation of the Labor Law.

238-40-S—2493 Fulton street, north side, 254.5 ft. west of Broadway (Block No. 1547, Lot No. 25), Borough of Brooklyn.

MARCH 8, 1940, 10 A. M.

Material Submitted for Approval

830-39-SM-NYK-A and NYK-B One-Hour Metal-Covered Fire Doors, approval of.

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 272-39-BZ—Application of City Bank and Farmers Trust Company, applicant and owner, reopened for rehearing February 14, 1940—re order of the court—re Application, previously denied by the Board, under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre; premises 645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.

CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking

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and storage of more than five (5) motor vehicles; premises 414-506 Brighton court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 197-39-BZ—Application, December 20, 1939; dismissed for lack of prosecution July 18,

1939; reopened and restored to Calendar February 27, 1939, under section 21 of the building zone resolution, of Rudolph B. Weiss, applicant, on behalf of Louise De Vito, owner (William De Vito, lessee), to permit in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop; premises 150-47 12th road and 12-28 to 12-30 Cross Island boulevard, northwest corner (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 12, 1940, 2 P. M.

Appeals from Administrative Decisions.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

81-40-A—128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57½), Borough of Manhattan.

224-40-A—385 Gerard avenue, southwest corner of East 144th street (Block No. 2349, Lot No. 90), Borough of The Bronx.

198-40-A—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.

1491-39-A—30-02 to 31-20 Star avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296, Lot No. 51), Long Island City, Borough of Queens.

29-40-A—154-170 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan.

222-40-A—124 East 70th street, south side, 120 ft. west of Lexington avenue (Block No. 1404, Lot No. 62), Borough of Manhattan.

1212-39-A—334-336 East 48th street, south side, 175 ft. west of First avenue, and 335-339 East 47th street (Block No. 1340, Lot Nos. 31, 34 and 35), Borough of Manhattan.

249-40-A—18-26 East End avenue and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan.

219-40-A-WF—41-01 to 41-05 Lawrence street, southeast corner of 41st avenue (Block No. 5039, Lot No. 8), Flushing, Borough of Queens.

232-40-A—65-74 Saunders street, south side, 100 ft. west of 66th avenue (Block No. 3087, part of Lot No. 25), Forest Hills, Borough of Queens.

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87-40-A—36-05 to 36-15 36th avenue, northwest corner of 37th avenue (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens.

MARCH 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 328-39-BZ—Application, March 15, 1939, under section 7h of the building zone resolution, of Joseph Sliva, applicant and lessee, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 1307-39-BZ—Application originally filed October 24, 1939, amended application, March 6, 1940, under section 21 of the building zone resolution, of Joseph J. Furman, applicant, on behalf of Peter Schmuck and 346 West 44th Street Realty Corporation, owners, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and, also, the omission of the required rear yard (amended as to application for use of

part of premises for parking and storage of more than five (5) motor vehicles); premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 55), Borough of Manhattan.

CAL. NO. 1322-39-BZ—Application, October 26, 1939, under section 7h of the building zone resolution, of William I. Hohauser, applicant, on behalf of Clinton Estates, Inc., to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

CAL. NO. 1463-39-BZ—Application, November 30, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Temple Gates of Prayer (also known as Congregation Shaari Tefilla), owner, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities; premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

CAL. NO. 1468-39-BZ—Application, December 2, 1939, under sections 7a and 7e of the building zone resolution, of Harry B. Lindberg, applicant, on behalf of Borden's Farm Products Division of The Borden Company, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

CAL. NO. 1236-39-BZ—Application, October 10, 1939, under section 7h of the building zone resolution, of Robert J. Reiley and Charles C. Reiley, applicants and owners (Otto A. Bradman and John Resto, lessees), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

CAL. NO. 1426-39-BZ—Application, November 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Leon G. Wertheimer, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 331 Morris Park avenue, northeast corner

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of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

65-40-A—140-09 Rose avenue, west side, 78 ft. north of Kissena boulevard (Block No. 5230, Lot No. 37), Flushing, Borough of Queens.

107-40-A—744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

47-40-A—759 Sixth avenue, west side, 39.8 ft. north of West 25th street (Block No. 801, Lot No. 38), Borough of Manhattan.

48-40-A—765 Sixth avenue, west side, 79.6 ft. north of West 25th street (Block No. 801, Lot No. 40), Borough of Manhattan.

84-40-A—78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan.

245-40-A—1331 Halsey street, northwest corner of Irving avenue (Block No. 3407, Lot No. 1), Borough of Brooklyn.

268-40-A—147-165 Wolcott street, south side, 125 ft. west of Conover street (Block No. 574, Lot No. 12), Borough of Brooklyn.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

270-40-A—84-24 116th street, west side, 180 ft. south of 84th avenue (Block No. 9215, Lot No. 19), Richmond Hill, Borough of Queens.

Variation of the Labor Law.

55-40-S—21-02 to 21-16 43rd avenue, southeast corner of 21st street (Block No. 441, Lot No. 16), Long Island City, Borough of Queens.

MARCH 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 26, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 502-32-BZ—Application of Lama and Proskauer, applicants, on behalf of C. J. A. Realty Corporation, owner, reopened February 14, 1940, for consideration as to extension of time to complete work—re Application, previously granted on condition, under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

CAL. NO. 17-40-BZ—Application, January 5, 1940, under section 7h of the building zone resolution, of Max Siegel, applicant, on behalf of Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

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CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1411-39-BZ—Application, November 16, 1939, under section 21 of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of Alfonzina Giogrande, owner, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

CAL. NO. 100-40-BZ—Application, January 27, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of Celia H. Seelig, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

CAL. NO. 1334-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Austin W. Magee and A. Stanley Miller, applicants, on behalf of Bettina Franzese, owner (Paul Travis, lessee), to permit in a business use district the alteration and change of occupancy of an existing building to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone

resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APRIL 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1310-39-BZ—Application, October 25, 1939, under section 21 of the building zone resolution, of Richard E. Carey, applicant, on behalf of Eva B. Smith, owner (Joseph Brown, lessee), to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.

CAL. NO. 1483-39-BZ—Application, December 7, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of East River Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.

CAL. NO. 68-40-BZ—Application, January 19, 1940, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No.

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1622, Lot No. 25), Borough of Manhattan.

1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Inc., and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, southeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 1492-39-BZ—Application, December 9, 1939, under sections 7h and 21 of the building zone resolution, of Newburgh Savings Bank, applicant and owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405-A (1399), Lot No. 125), Borough of Brooklyn.

CAL. NO. 574-39-BZ—Application, May 5, 1939, under sections 7b and 21 of the building zone resolution, of Ridgewood Savings Bank, applicant and owner (E. K. Demmel, lessee), to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

CAL. NO. 1532-39-BZ-WF—Application, December 22, 1939, under section 7h of the building zone resolution, of Stanley H. Hemley, applicant, on behalf of Kew Gardens Corporation, owner (August Meyers, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 9, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9,*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 12, 1940, 10 A. M.

Rules.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, other Cellulose Products and Adhesives and Treated Acoustical materials, for use in places of Public Assembly and Special Occupancy Structures.

APRIL 16, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MAY 7, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 7,*

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1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulihoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary

period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, FEBRUARY 27, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, January 30, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, January 30, 1940, were approved as printed in Bulletin No. 6, Vol. 25.

BUILDING ZONE CASES.

561-39-BZ.

APPLICANT—J. Andre Foulihoux, for McGraw Hill Corporation, owner.

SUBJECT—Application re decision of the borough superintendent of buildings, under section 7h and 21 of the building zone resolution, to permit in a retail use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: D. Campbell and J. A. Gerardi.
For Opposition: None.

ACTION OF BOARD—Laid over to May 7, 1940, 10 A.M., on request of applicant.

776-39-BZ.

APPLICANT—William R. Stanert, for Durfey-Ash Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: William R. Stanert.
For Opposition: Walter L. Horie.

ACTION OF BOARD—Laid over to March 12, 1940, 10 A.M., for inspection and decision by the Board, without further argument.

22-39-BZ-WF.

APPLICANT—Herbert C. Drescher, for Lab Holding Corporation, owner (Kemp's Restaurant, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use

district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Herbert C. Drescher.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to March 19, 1940, at 10 A.M., applicant to notify various city departments.

1012-39-BZ.

APPLICANT—Lama and Proskauer, for Abraham J. Stern, owner (Pilgrim Gas Stations, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension in area and the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Kate Gold.

ACTION OF BOARD—Laid over to March 26, 1940 at 10 A.M., on request of owner's representative.

1079-39-BZ.

APPLICANT—Edmund T. See, for Brooklyn Trust Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—414-506 Brightwater court, south side, 107 ft. 5 in. east of Brighton East Fourth street, and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edmund T. See.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to March 12, 1940, at 10 A.M., for hearing. No proof of service filed.

190-19-BZ.

APPLICANT—Interborough Engineering Company, for Joseph Lau, owner (Lau Motors, lessee).

SUBJECT—Application reopened May 9, 1939 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the inclusion of a

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motor vehicle repair shop in a garage for more than five (5) motor vehicles (garage previously granted by the Board).

PREMISES AFFECTED—2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph A. Lau and Rebelli Perotto.
For Opposition: H. L. Meltzer.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(190-19-BZ)

WHEREAS, this application to permit in a business use district the erection of a garage for more than five (5) motor vehicles, affecting premises 2546-2562 Atlantic avenue, southwest corner of Alabama avenue (Block No. 3683, Lot No. 25), Borough of Brooklyn, was granted by the Board May 7, 1919; and

WHEREAS, the owner requested an amendment of the resolution to permit the use of the easterly portion of the building as a motor vehicle repair shop; and

WHEREAS, this application was reopened by vote of the Board May 9, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Atlantic avenue is in a business use district; Liberty avenue is in an unrestricted use district; Alabama avenue and Williams avenue are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 1298-1938, dated March 3, 1939, reads:

"Proposed automobile repair shop in a business use district contrary to Art. 2, Section 4a of the building zone resolution. Application is therefore denied."

and

WHEREAS, the existing building is non-fireproof, 158 ft. on Atlantic avenue and 89 ft. on Alabama avenue, irregular, one story in height; it is proposed to change the occupancy of the easterly portion (having a frontage of 100 ft.) of the existing garage for more than five (5) motor vehicles to a motor repair shop.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on May 7, 1919, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, on condition that there be no entrance to or exit from the garage on the Alabama avenue frontage; that there be left an open space at least three feet in width, at the south end of the lot, running across the easterly portion of the same; that any door opening in the east or Alabama avenue front shall not exceed three feet in width; that no door or window opening in said front shall be closer than fifteen feet from the southerly end of the building; that there be no skylight in the roof of the structure within 20 feet of the southerly end of the building.

Resolved further, that in the event this building is continued as a garage and occupied for the storing of automobiles belonging to a sales agency, that there may also be permitted minor automobile repairing in connection with such cars dealt in by such agency, providing the repairing is done manually with hand tools, except that there may be a motor driven bench grinder and bench

drill, requiring not over ½ h.p. each; that such repairing shall be done toward the easterly end of the premises, as indicated on plans marked 'Received November 27, 1939'; that all signs advertising motor vehicle repair work shall be removed from the premises and no sign advertising such work shall be erected, except for a sign at the entrance not over 10 sq. ft. in area, advertising repairs of the type herein permitted; that all permits required shall be obtained and all work completed within six months from the date of this resolution."

120-39-BZ.

APPLICANT—Charles Hofmann (lessee), for Cecelia Hofmann, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a motor vehicle repair shop in part of an existing building.

PREMISES AFFECTED—1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond.

APPEARANCES—

For Applicant: Edward Horstman and Charles Hofmann.

For Opposition: Mrs. T. De Vitto, Mrs. Teresa Cerabona and Rocco Nicolini.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(120-39-BZ)

WHEREAS, Charles Hofmann (lessee), for Cecelia T. Hofmann, owner, filed February 2, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the maintenance of a motor vehicle repair shop in part of an existing building; premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block No. 3379, Lot No. 89), Dongan Hills, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hylan boulevard and Seaview avenue are in business use districts; Garretson avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 9, 1939, reads:

"Your application, B.N. No. 8/1939 filed in this Department on January 5, 1939, to use a portion of premises 1646 Hylan boulevard, ES, NE corner Seaview avenue, Dongan Hills, Borough of Richmond, as a motor vehicle repair shop is hereby denied as it is contrary to Zone Resolution to establish a motor vehicle repair shop in a business district Sec. (a) (29)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Hylan boulevard and 100 ft. on Seaview avenue; upon the Seaview avenue frontage of the plot there is located a one and two-story non-fireproof building, 84 ft. by 20 ft., irregular in area; it is proposed to occupy a portion of this building (said portion having a frontage of 20 ft.) as a motor vehicle repair shop; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to temporary

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relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, for a temporary term of two (2) years to permit the continuation of the motor vehicle repair work in the area indicated on plans filed with this appeal, *on condition* that such repair work shall be limited to work to be done by hand tools, except that motor-driven grinder and drill and lathe may be permitted, provided that no such machine requires a motor greater than $\frac{1}{2}$ h.p.; that no sign shall be erected on the premises and that the area now used shall not be further extended; that a new Certificate of Occupancy shall be issued to replace Certificate of Occupancy issued July 30, 1925, to include existing gasoline station and repair work herein permitted, and a garage for not over four (4) cars; that all permits shall be obtained and all work shall be completed within six months from the date of this resolution.

1175-39-BZ.

APPLICANT—Abraham J. Halprin, for Sears Roebuck & Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham J. Halprin, Isidore Sohn and Robert Steefel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1175-39-BZ)

WHEREAS, Abraham J. Halprin, for Sears Roebuck and Company, owner, filed September 25, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot No. 38-49, inclusive), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Beverly road and Duryea place are in business and residence use districts; East 22nd street is in a business, residence and unrestricted use district; Flatbush avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Applic. Nos. 6499 to 6507, dated September 13, 1939, and as amended February 2, 1940, reads:

"1. Parking and storage of more than 5 cars in business district contrary to Art. II, Sec. 4, Paragraph 15, Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Beverly road and 226 ft. on East 22nd street; it is proposed to use the plot for a temporary

period of not more than two (2) years for parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a temporary term of two (2) years, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so parked and that such parking shall be in connection with the business of the adjoining plot of Sears Roebuck and Company for convenience of customers and employees; that the plot shall be levelled substantially to the grade of East 22nd street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting, and graded so as to provide surface drainage; that on the street building lines there shall be erected a substantial woven wire fence with steel posts not less than 6 ft. in height; that openings therein for entrance and exit shall be restricted to one to East 22nd street, located approximately as indicated on plans filed herein; that such entrance shall not exceed 20 ft. in width with curb cut opposite of similar width; that on the northerly lot line no fence need be constructed, provided the brick wall of adjoining building is continuous for the full depth; that on the easterly lot line no fence need be constructed, and this lot may be used in conjunction with the adjoining lot for the transient parking as permitted under Cal. No. 73-38-BZ by resolution adopted by the Board July 28, 1938, and under similar conditions as therein set forth; that no sign shall be erected on the premises, except there may be a sign at the entrance on East 22nd street, advertising the parking use, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line; that this parking lot shall be open only during the hours that the department store of Sears Roebuck and Company on the adjoining lot is open for business; that the applicant shall file a plan showing the parking space covered by this application and the parking space covered by application 73-38-BZ, and the existing buildings and proposed extension to same and also showing all curb cuts, fences and aisles; that such plan shall be filed within thirty days from the date of this resolution; that all permits required shall be obtained and all work completed within three months from the date of this action.

1318-39-BZ.

APPLICANT—Matthew W. DelGaudia, for Anna Palermo, Anna Shields and Laura L. Dudley, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Matthew W. DelGaudia, Malcolm D. Perkins and J. P. Cosenza.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

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THE RESOLUTION—

(1318-39-BZ)

WHEREAS, Matthew W. DelGaudio, for Anna Palermo, Anna Shields and Laura L. Dudley, owners, filed October 25, 1939, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station; premises 8917 to 8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1, 2 and 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fourth and Fifth avenues are in business use districts; 89th street and 90th street are in unrestricted, business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2550-1939, dated September 25, 1939, reads:

"1. The construction of a gasoline service station in a business use district is contrary to Sec. 4 — (46) of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 64 ft. on Fourth avenue and 60 ft. on 90th street; upon the 90th street frontage of the plot there is located a gasoline service station; upon the remainder of the plot there are located two 3-story buildings (and also an exit from a 5-car garage) which are to be demolished; it is proposed to erect an accessory building on the site and to extend the area of the existing gasoline service station so as to cover the entire plot; the office of the present gas station is located in the building abutting to the north of the gas station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, to permit the extension of the legally existing gasoline service station, so that the total frontage will be 63 ft. 8½ in. along Fourth avenue, with a depth of 59 ft. 9¾ in. along 90th street, *on condition* that the accessory building shall be located toward the northeasterly portion of the premises and shall be in accordance with complete working drawings to be submitted to the Board for further consideration and for the imposition of further conditions, prior to such plans being filed with the superintendent of buildings; that such building shall not exceed one story in height and shall be constructed of fireproof materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood and provided that the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; provided that there are no openings to the interior lot lines to the north and east; that no portion of the gasoline station shall be further extended into the adjoining building located at 8915 Fourth avenue, but that nothing herein contained shall prevent the construction of windows in such building for the light and ventilation of rooms therein; that any pumps erected shall be not nearer than 15 ft. to either street building line; that curb cuts shall be restricted to one curb cut from 90th street not over 20 ft. in width, and two curb cuts to Fourth avenue not over 20 ft. in width; that no portion of any curb cuts shall be nearer than 5 ft. from a side lot line as extended, or from the intersection of Fourth avenue and 90th street; that at the intersection of Fourth avenue and 90th street there shall be constructed a block of concrete not less than one foot in height, of triangular shape, ex-

tending 5 ft. along either street from the intersection; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all temporary signs and roof signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and provided that such sign does not extend beyond the building line for a distance of more than 4 ft.; that no signs advertising the gasoline station use shall be erected on adjoining buildings; that the balance of the plot, where not covered by accessory buildings, pumps and planting, shall be cement paved; that six (6) gasoline storage tanks may be installed as shown; that after submission of working drawings as herein required and the approval of same by the Board, all permits shall be obtained and all work completed within one (1) year thereafter.

1356-39-BZ.

APPLICANT—Samuel Falk, for Willess Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores and offices).

PREMISES AFFECTED—848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Falk.

For Opposition: Louis Blau, Max Manfred, Fannie Lipshitz, Anna Randell, H. J. Fitzpatrick, Ida Rutgersen, Alka Brussel, Henry Lindroth, Robert Harvey, Molly S. Levy, I. Harkavy, David Weingrad and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1356-39-BZ)

WHEREAS, Samuel Falk, for Willess Realty Corporation, owner, filed November 1, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores and offices); premises 848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 176th street, Marmion avenue, Mohegan avenue and East 175th street are all in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 908-39, dated October 31, 1939, reads:

"1. Proposed use (store and office located in residence district) is contrary to Sec. 3, Art. 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 65 ft. 3 in. on East 176th street and 40 ft. 8 in. on Vineyard place; upon a portion of the plot there is located part of a 5-car metal garage (40 ft. by 17 ft. in area); it is proposed to erect upon the premises a two-story non-fireproof building, having a frontage of 65 ft. 3 in. on East 176th street and 32 ft. on Vineyard place, to be used

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on the first story for four (4) stores and as offices on the second story; and

WHEREAS, a committee of the Board had inspected the area in connection with other applications affecting nearby premises; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1362-39-BZ.

APPLICANT—Charles W. Van Keuren, for Nora McCormack, owner (Joseph McLaughlin and Isidore Paley, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 60 and 73), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Logan, Charles D'Antonio, Isidore Paley, Abraham I. Kranker, Joseph McLaughlin and Joseph McLaughlin, Jr.

For Opposition: Abraham J. Weissman, Paul Friedman, Alfred A. Walter, Max Gottesman, Moe Friedel, E. Simonson and Charles Tilgner, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1362-39-BZ)

WHEREAS, Charles W. Van Keuren (Jos. McLaughlin and Isidore Paley, lessees), for Nora McCormack, owner, filed November 6, 1939, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 69 and 73), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East New York avenue and Troy avenue are in business use districts; Maple street and Schenectady avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Applic. No. 5654-1939, dated October 16, 1939, and as amended January 31, 1940, reads:

"1. Parking and storage of more than 5 cars partly in a residence and partly in a business district is contrary to Art. II, Sec. 3 and Sec. 4a, Paragraph 15, Zone Resolution. Application denied."

and
WHEREAS, the premises, part of a larger parcel of prop-

erty, consist of an irregular shaped plot of ground having a frontage of 140 ft. on Maple street, 80 ft. on East New York avenue, and a depth of 190 ft.; the East New York avenue frontage is in a business use district and the remainder of the plot is in a residence use district; it is proposed to occupy the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the surrounding area has previously been inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under sections 21 and 7h of the building zone resolution, as there appears to be no demand for additional parking facilities in the vicinity.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

105-40-BZ.

APPLICANT—William Wilson Carpet Cleaning Service, Incorporated, for 650 Tiffany Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage and garage for five (5) motor vehicles.

PREMISES AFFECTED—650 Tiffany street, east side, 350 ft. north of Randall avenue (Block No. 2765-A, Lot No. 123), Borough of The Bronx.

APPEARANCES—

For Applicant: Sam Longwill and John G. Sinclair.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(105-40-BZ)

WHEREAS, William Wilson Carpet Cleaning Service, Incorporated, for 650 Tiffany Street Corporation, owner, filed January 29, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building for occupancy as carpet and furniture cleaning, repairing and storage and garage for five (5) motor vehicles; premises 650 Tiffany street, east side, 350 ft. north of Randall avenue (Block No. 2765-A, Lot No. 123), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 27, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Tiffany street and Randall avenue are in business and unrestricted use districts; Casanova street is in a residence and business use district; Longwood avenue is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 219-34, dated January 24, 1940, reads:

"Please be advised that a Certificate of Occupancy for use of the one story non-fireproof building at the above premises, for occupancy as carpet and furniture cleaning, repairing and storage and garage for five (5) motor vehicles is denied, as the location is within a business district as established by the Amended

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building zone resolution which such occupancy is unlawful."

and

WHEREAS, the existing building is of non-fireproof construction, 100 ft. frontage by 100 ft. in depth, one story in height; it is proposed to occupy the existing building for carpet and furniture cleaning, repairing and storage, and storage garage for five (5) motor vehicles; and

WHEREAS, the Board deemed that the applicant has substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the premises under appeal to be occupied as a carpet cleaning establishment, as proposed, *on condition* that the equipment shall be modern, and so designed and arranged as to minimize the dust and dirt; that all dust as accumulated shall be removed from the premises; that the building shall not be increased in height or area; that the front of the building where proposed to be used as storage for motor vehicles used in connection with the business conducted on the premises shall be separated from the balance of the building by masonry walls with any openings therein protected with approved fireproof doors; that there shall be no storage of gasoline on the premises other than in the tanks of the cars; that no inflammable material shall be used on the premises; that any windows in the rear wall shall be fireproof, glazed with wire glass and shall remain closed and fastened; that all permits required shall be obtained and all work completed within three months from the date of this resolution.

Adjourned, 2:50 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, FEBRUARY 27, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES.

292-17-BZ.

APPLICANT—Van Wart & Ackerman, for The 232 East 85th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the extension in area of a garage for more than five (5) motor vehicles (said garage previously granted by the Board).

PREMISES AFFECTED—228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank G. Ackerman.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

197-39-BZ.

APPLICANT—Rudolph B. Weiss, for Louise De Vito, owner (William De Vito, lessee).

SUBJECT—Application for consideration—reopening and restoration to the calendar, having been previously dismissed for lack of prosecution—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district on an existing gasoline service station, the maintenance of an accessory building to be occupied as an office, auto laundry and motor vehicle repair shop.

PREMISES AFFECTED—150-47 12th road and 12-28 to 12-30 Cross Island boulevard, northwest corner (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Rudolph B. Weiss.

ACTION OF BOARD—Application reopened and set for hearing March 12, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

78-33-BZ.

APPLICANT—H. L. Brandt, for Helen Mahoney, owner. SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution to permit in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—452-460 West 167th street, south side, 119 ft. 3 7/8 in. east of Amsterdam avenue (Block No. 2111, part of Lot No. 92), Borough of Manhattan.

APPEARANCES—

For Applicant: H. L. Brandt.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

207-33-BZ.

APPLICANT—Jeremiah A. Houlihan, for O'Brien Building Company, Incorporated.

SUBJECT—Application reopened July 18, 1939, re (decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—3090-3102 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65-68, inclusive), Borough of The Bronx.

APPEARANCES—None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

THE RESOLUTION—

(207-33-BZ)

WHEREAS, this application to permit in a business use district the parking of more than five (5) motor vehicles, affecting premises 3090-3102 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65-68, inclusive), Borough of The Bronx, was granted by the Board May 18, 1937, on certain conditions; and

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WHEREAS, the applicant requested a reopening of the case for an extension of time; and

WHEREAS, this application was reopened by vote of the Board, July 18, 1939; and

WHEREAS, the applicant failed to complete the papers in the case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

155-39-BZ.

APPLICANT—Herman Kron (Salvatore Lane, lessee), for Tenement Renovation Contracting Company, Inc., and Carpenters Equities, Incorporated, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—145-157 Cherry street, south side, 51 ft. west of Market Slip and 428 Water street (Block No. 250, Lot Nos. 67-73), Borough of Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(155-39-BZ)

WHEREAS, Herman Kron, for Tenement Renovation Contracting Company, Inc., and Carpenters Equities, Incorporated, owners, filed February 7, 1939, an application with the Board of Standards and Appeals, under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 145-157 Cherry street, south side, 51 ft. west of Market Slip and 428 Water street (Block No. 250, Lot Nos. 67-73), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in the case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

SUBJECT—Application for reopening and amendment (as per order of the court), re decision of the commissioner of buildings, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use (dancing studio, office for same and also, music studio); previously denied by the Board.

PREMISES AFFECTED—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPEARANCES—None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(149-37-BZ)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed April 3, 1937, an application under the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use (dancing studio, office for same and also, music studio); premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was denied by the Board October 19, 1937; and

WHEREAS, the decision of the Board was subject to Court review and was upheld except as to "the use of the basement or cellar of the aforesaid building and premises for the purpose of a dancing school or studio".

Resolved, that the resolution of the Board, adopted October 19, 1937, be amended in accordance with the order of the Court, dated January 22, 1940, so that as amended the same shall read as follows:

"*Resolved*, that the decision of the Tenement House Commissioner be and it hereby is *affirmed* and that the application be and it hereby is *denied*, except as to 'the use of the basement or cellar of the aforesaid building and premises for the purpose of a dancing school or studio' not operated for business purposes."

530-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

SUBJECT—Application for reopening and amendment (as per order of the court)—re decision of the commissioner of buildings, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use; previously denied by the Board.

PREMISES AFFECTED—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1, Borough of Brooklyn.

APPEARANCES—None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(530-37-BZ)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed November 3, 1937, an application under the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to business use; premises 7202-7224 Ridge boulevard, west side, from 72nd street to 73rd street, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was denied by the Board June 28, 1938; and

WHEREAS, the decision of the Board was subject to Court review and was upheld except as to "the use of parts of said building and premises for the purpose of tailor shop."

Resolved, that the resolution of the Board, adopted June 28, 1938, be amended in accordance with the order of the Court, dated January 22, 1940, so that the same shall read as follows:

"*Resolved*, that the decision of the Tenement House Commissioner, dated October 5, 1937, be and it hereby is *affirmed* and that the application be and it hereby is *denied* except that 'the petitioner is hereby permitted to continue the use of part of the basement or cellar of the said building and premises for a tailor shop, restricted, however, to a valet's collecting and distributing room'."

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APPEALS FROM ADMINISTRATIVE DECISIONS.

191-40-A.

APPLICANT—David Granditer, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant Nathan Frankel and William J. Minogue.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument. THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

45-40-A-WF.

APPLICANT—Isadore Paul, for Cleaners Realty Corporation and Kent Stores, Inc. (lessees), for Boan Holding Corporation, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Milton Mannheimer.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

THE RESOLUTION—

(45-40-A-WF)

WHEREAS, Isadore Paul, for Boan Holding Corporation, owner, filed January 12, 1940, an appeal from a decision of the borough superintendent of buildings, relating to the erection of a sign exceeding 30 sq. ft. in area within the World's Fair area; premises 103-25 Northern boulevard, northwest corner of 104th street (Block No. 1698, Lot No. 37), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 9861-39, dated December 19, 1939, reads:

"The erection of a sign exceeding 30 sq. ft. in area, within the World's Fair area, is contrary to Section 4 of the World's Fair Resolution."

and

WHEREAS, the building is one story in height, 40 ft. by 100 ft. in area; of Class 3 construction; located in a business use district; erected in 1931 and occupied: cellar, storage; first floor, stores and garage; and

WHEREAS, it is proposed to erect a sign approximately 5 ft. high with three faces, 8 ft. 9 in., 8 ft. 6 in. and 14 ft. in length, respectively, as shown on plan filed with the borough superintendent December 11, 1939; and

WHEREAS, the applicant contends that the sign has been approved by the Department of Housing and Buildings with the exception that it violates Section 4 of the World's Fair Resolution.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 9861-1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the erection of a non-illuminated sign, substantially as shown on plans filed with the borough superintendent, on condition that the total area of sign does not exceed 250 sq. ft. face measure; that it does not extend beyond the parapet and is not less than 10 ft. above sidewalk grade;

that this permit shall continue only so long as the sign is used for advertising the KENT STORES or their subsidiaries, who are the tenants of the store in question.

62-40-A.

APPLICANT—The New York Society of the Methodist Episcopal Church, owner (The Church of All Nations and Neighborhood House, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—9 Second avenue, west side, 70 ft. south of East First street (Block No. 456, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: F. B. Newell and Charles Austin.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

THE RESOLUTION—

(62-40-A)

WHEREAS, The New York Society of the Methodist Episcopal Church, owner, filed January 15, 1940, an appeal from an order of the fire commissioner, affecting premises 9 Second avenue, west side, 70 ft. south of First street (Block No. 456, Lot No. 7), Borough of Manhattan; and

WHEREAS, Order No. 6418-LF, issued by the fire commissioner, December 14, 1939, reads:

"1. Install an adequate approved closed circuit electric interior fire alarm system throughout the entire premises in accordance with Section 487e-2.0 C-1 of Adm. Code."

and

WHEREAS, the building is 5 stories in height, 51 ft. by 187 ft. in area; of fireproof construction; located in a business use B area district; erected in 1923 and occupied according to the fire department records as follows: cellar, boiler room, swimming pool, work shop and lockers; first floor, chapel, office and auditorium; second floor, nursery, kitchen, clubrooms and art classes; third floor, gymnasium and living quarters; 4th floor, gymnasium, living quarters and lockers; roof, gymnasium; and

WHEREAS, the applicant states that the second story is used a portion of each of five days a week as a nursery school for sixty children, and states that a certificate of occupancy has been issued; that the order directing the installation of the fire alarm system is a result of the request of the Federal Nursery Project for a certificate of occupancy to operate a day nursery in the building, due to the fact that it is proposed to exceed the limit of 30 children, as provided in the Administrative Code; that the building is completely fireproof; that the activities of the nursery will be restricted to the second floor, except when the children are brought to the roof for fresh air; that all hallways and stairs are equipped with fireproof, self-closing doors; that there are two fireproof stairways in the building; that the nursery school will be conducted between 8:30 A.M. and 2:30 P.M.; that there will never be more than 25 children in any one room; that the children will be under constant supervision of at least six adults; that the younger children will be in one wing of the second floor and the older children in another wing; that these wings are to be separated by fireproof partitions and doors and each wing to have direct access to stairways.

Resolved, that the order of the fire commissioner, No. 6418-LF, Item No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed a gong on each of the upper floors above the first, and on the roof, controlled by push button at the first floor, near the attendant, to be operated by a dry cell battery or other means satisfactory to the fire commissioner; that any doors opening from rooms proposed to be used as

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classrooms shall be arranged to open in the direction of exit; that in all other respects the building shall be maintained as proposed and in compliance with all laws, rules and regulations applicable to the building and occupancy.

117-40-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law, re-Bed of Mapped Street).

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Frederick A. Ketcher, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(117-40-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed January 30, 1940, an application for permission to erect an extension to an existing building in the bed of a mapped street (Cabot street), pursuant to Section 35 of the General City Law, affecting premises west side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 952-39, dated December 20, 1939, reads:

"1. Obtain permit from Board of Standards and Appeals for the proposed extension in the bed of Cabot Street which is a mapped street. Sec. 35 of the General City Law."

and

WHEREAS, it is proposed to erect two extensions to an existing fireproof building, 79 ft. by 125 ft. 11 in. in area, 64 ft. in height, to consist of a one-story structure 29 ft. by 36 ft. in height, to be used as a toilet and washroom for employees; a one-story bulkhead structure approx. 26 ft. by 42 ft. in area by 24 ft. in height, above the roof of the existing fireproof building; to be used to house dust collecting equipment; and

WHEREAS, the premises are located in an unrestricted use A area district and the building was originally erected in 1914; and

WHEREAS, the applicant contends that the topographical maps show that Cabot street has not been accepted by the city and that the city has not taken title thereto.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 952-39, be and hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the construction of the proposed extension in the bed of Cabot street, under power granted the Board under section 35 of the General City Law, *on condition* that the building shall be substantially of the area and arrangement as proposed.

118-40-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx (Under section 35, General City Law re—Bed of Mapped Street).

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Frederick A. Ketcher, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(118-40-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed January 30, 1940, an appeal from a decision of the borough superintendent of buildings, and an application for permission to erect an extension to an existing building in the bed of a mapped street (Cabot Street), pursuant to Section 35 of the General City Law; affecting premises west side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 3-40, dated January 5, 1940, reads:

"1. Obtain permission from the Board of Standards and Appeals for the proposed extension in the bed of Cabot Street. Sec. 35, General City Law."

4. Provide standpipes, Sec. C26.1381.0, Admin. Code. (16.1.1)."

and

WHEREAS, the existing building, which was built in 1928, is 60 ft. by 62 ft. in area, 77 ft. in height, with a small extension on the southeast corner 12 ft. by 16 ft. in area; constructed of structural steel frame, galvanized corrugated sheet steel siding, ventilated steel sash, precast gypsum slab roof, and operating floors or platforms at several levels, of checkered steel floor plate and reinforced concrete slabs; the building is supported on concrete filled steel pipe piles with concrete caps; this building also has an extension on the west side, erected in 1928, 64 ft. by 45 ft. in area, one story in height, of the same construction; an extension, 21 ft. by 75 ft. in area, 77 ft. in height, was added in 1939, pursuant to permission granted by the Board of Standards and Appeals under Cal. No. 309-39-A; it is now proposed to erect an extension, 38 ft. by 62 ft. in area, 77 ft. in height, at the north end of the existing calcining building, as shown on plan filed with this appeal; this extension will be constructed on structural steel frame, corrugated sheet steel siding, ventilated steel sash, precast gypsum slab roof, and operating floors or platforms of checkered steel floor plate and will be supported on concrete filled steel pipe piles with concrete caps; the entire building and extension will be occupied for the manufacture of gypsum; and

WHEREAS, the applicant contends, as to Objection No. 1, that the topographical maps show that Cabot street has not been acquired by the city; that the Board previously granted an extension to this building within the bed of a mapped street; that the erection of the proposed extension is a combination of the program of plant improvement now being carried on; that as to Objection No. 4, the area of the present building and extensions is 14,800 sq. ft.; that the area of the proposed extension will be 5,000 sq. ft., making a total of 19,800 sq. ft.; that as to Objection No. 3, every exception made to meet the requirements of the code so far as practicable for a structure of this kind; that the entire building will be built of incombustible material; that as to Objection No. 4, the requirement for standpipe system should be waived in view of the construction and occupancy of the building.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the proposed extension in the bed of Cabot street, under the powers granted the Board under section 35 of the General City Law, and as to Objection No. 3, that the building shall not be increased further in height or

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area other than as now proposed, and *granted*, only so long as the building as a whole is occupied for the manufacture of gypsum products and is constructed of incombustible material throughout; as to Objection No. 4, *on condition* that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct, and on the *further condition* that the yard hydrant system for general plant protection shall be installed and maintained, connected with the city water supply mains.

120-40-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx (Under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Frederick A. Ketcher, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(120-40-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed on January 30, 1940, an appeal from a decision of the borough superintendent of buildings, and an application for permission to erect an extension to an existing building in the bed of a mapped street (Cabot street), pursuant to section 35 of the General City Law, affecting premises West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block Nos. 2605 and 2606, Lot No. 350 and part of Lot Nos. 2 and 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on N.B. App. No. 1-1940, dated January 5, 1940, reads:

"1. Building exceeds lawful height and area limits. Class 5 factories are limited to one story, and 30 ft. in height, and 15,000 sq. ft. in area. Sec. 26-254.0 Adm. Code (4.2.1).

3. Provide standpipe. Sec. C26-1381.0 Adm. Code (16.1.1).

4. Obtain permission from the Board of Standards and Appeals for the construction of the proposed building in the bed of Cabot Street. Sec. 35 of the General City Law."

and

WHEREAS, the proposed building will be two stories (45 ft.) in height to peak of roof trusses, 61.5 ft. by 401.5 ft. in area, with an extension, 22 ft. by 65 ft. in area, at first floor; the second story will be 61.5 ft. by 101.5 ft. in area; the building will be supported on reinforced concrete footings, and will consist of a structural steel frame consisting of steel roof trusses and steel floor beams supported on steel columns with steel purlins, girts, bracing and other necessary members; the roof and side walls will be of corrugated asbestos with ventilated steel sash; the second floor will be of reinforced concrete and the first floor of concrete slab on earth; the stairs will be of steel throughout; and

WHEREAS, the building will be used throughout for the manufacture and storage of gypsum block and gypsum materials, with twelve persons on the first floor and three persons on the second floor; and

WHEREAS, the applicant contends, as to Objection No. 1,

that an effort has been made to meet the requirements of the building code so far as practicable for a structure of this type; that the building and equipment throughout will be of incombustible materials; that as to Objection No. 3, the only combustible material in the building will be wood fibre used in the manufacture of gypsum partition blocks; that this wood fibre will be received and stored in bales on the second floor of the building, which portion will be equipped with sprinklers; that as to Objection No. 4, topographical maps indicate that the city has not taken title to Cabot street; that the location of the proposed building is a logical one from an operating standpoint and it would be impractical to locate the building at any other portion of the premises; that the erection of the proposed building is a continuation of the program of plant improvement now being carried on and under which previous permission to erect buildings in the bed of mapped streets was granted by the Board under Cal. Nos. 309-39-A and 682-39-A.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 1-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the building shall not be increased in height or occupied other than as now proposed, and *granted* only so long as the building is used for the manufacture of gypsum products, as proposed, and is constructed as indicated of incombustible materials throughout; that as to Objection No. 3, the standpipe system may be omitted, *on condition* that there be installed a yard hydrant system for general plant protection, connected to the city water main; that there shall be a sprinkler system maintained on the second floor in that area where the wood fibre is stored in bales and processed; that such sprinkler system may be connected from the yard hydrant system, fed from the street water main, and that no siamese need be installed; and *granted* as to Objection No. 4, under the powers given the Board under section 35 of the General City Law, to permit the construction of the building within the bed of Cabot street, and to permit the construction of portion of the building within the bed of Oak Point avenue, for a total ground area of not over 500 sq. ft., all substantially as indicated on plans filed with this appeal.

184-40-A.

APPLICANT—Alfred Fellheimer, for 49 East 52nd Street Corporation, owner (Columbia Broadcasting System, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred Fellheimer.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(184-40-A)

WHEREAS, Alfred Fellheimer, for 49 East 52nd Street Corporation, owner, filed February 16, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2300-39, dated February 7, 1940, reads:

"16. Contrary to Section B-26-7.0 of Administrative Code of the City of New York to construct this illumi-

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nated marker or sign on 52nd street between Lexington and Fifth Avenues."

and

WHEREAS, the building is 7 stories (88 ft.) in height, 75 ft. by 81.33 ft. in area; of Class 1 construction; erected in 1909; located in a business use B area district; now being altered for use as follows: sub-cellar, mechanical equipment; cellar to fourth floors, inclusive, broadcasting studios; fifth floor, offices; sixth floor, accoustical and engineering laboratory; seventh floor, same; and

WHEREAS, it is proposed to erect an illuminated marker extending 18 inches from the building above the entrance marquee, as shown on diagrams and photographs filed herewith and marked "Received February 16, 1940"; and

WHEREAS, the applicant contends the broadcasting activities of the building will be carried on 19 hours of each day and are attended by the public, many of whom represent out-of-town visitors, and it is considered important that some form of guide or marker be made available to identify readily the building to the broadcast visitors and performers; that the granting of this application would not set a precedent as the enterprise can be actually considered as of a semi-public nature.

Resolved, that the decision of the borough superintendent as to Alt. Applic. No. 2300-39, Objection No. 16, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the proposed illuminated sign shall not extend more than 18 inches beyond the building line and shall be constructed and located as indicated on plans filed herewith; and, *granted* only so long as the building is occupied by the Columbia Broadcasting System or its successors.

187-40-A.

APPLICANT—Bernhardt T. Berman, for The Arabol Manufacturing Company, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—44-62 Nostrand avenue, west side, 232 ft. 5 in. south of Flushing avenue; 502-508 Flushing avenue and 1-41 Sandford street (Block No. 1718, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernhardt T. Berman and Henry Weingarten.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(187-40-A)

WHEREAS, Bernhardt T. Berman, for The Arabol Manufacturing Company, owner, filed February 16, 1940, an appeal from an order of the fire commissioner affecting premises 44-62 Nostrand avenue, west side, 232 ft. 5 in. south of Flushing avenue, 1-41 Sandford street and 502-508 Flushing avenue, southeast corner (Block No. 1718, Lot No. 15), Borough of Brooklyn; and

WHEREAS, Order No. 82270-LC, issued by the fire commissioner January 17, 1940, reads:

"You are hereby notified that an inspection of the above premises used to store and manufacture combustible and inflammable mixtures, shows that the following must be done before the permit requested by you can be issued:

1. Remove from the premises and discontinue the further storage and manufacture of combustible mixture (monochlor benzene paste) and the inflammable mixture (paste containing benzol) on the premises 44-62 Nostrand Ave., Brooklyn, N. Y.

A report from the Central Testing Laboratory shows

that the paste is a combustible mixture with a flash point of 102 deg. F. and the paste containing benzol is an inflammable mixture having a flash point below 70 deg.

Section C19-59-b-6 and Section C19-62-h of the Administrative Code states that no permit shall be issued for the manufacture of an inflammable or a combustible mixture in any building where dry goods or other material of a highly inflammable nature are manufactured, stored or sold.

Section C-19-59-b-7 of the Administrative Code states that no permit for the manufacture of an inflammable or combustible mixture shall be issued for any building where matches, rosin, hemp, cotton or any explosives are stored or sold."

and

WHEREAS, the premises consist of a plot fronting 125 ft. on the south side of Flushing avenue, 442 ft. on the east side of Sandford street, 209 ft. 10 in. on the west side of Nostrand avenue, upon which there are located 13 buildings, used for the manufacture and storage of glues, pastes, dextrines, etc.; the manufacture and storage of combustible and inflammable mixtures, referred to in the fire commissioner's order, are carried on in the second floor of Building No. 4, as shown on plans filed with this appeal. Building No. 4 is 2 stories and bulkhead in height, 100 ft. by 100 ft. in area at first and second stories, 25 ft. by 45 ft. in area at bulkhead; of Class 3 construction; and occupied as follows: first story, office, engine room, manufacture and storage of wet glue, 3 persons; second story, storage and manufacture of wet glue and benzol paste, storage of tallows and carpenter shop, 5 persons; bulkhead story, storage of starch and borax; and

WHEREAS, it is proposed to remove the manufacture and storage of benzol paste from the second story of building No. 4 to the third story of building No. 3, which building is 5 stories and cellar (72 ft.) in height, 60 ft. by 100 ft. in area, of Class 1 construction and occupied as follows: cellar, storage of liquid glue; first story, storage of dextrine, glucose, tallow and vegetable glue; second story, office and storage of chemicals and miscellaneous items; third story, packing department at present—proposed use, manufacture and storage of inflammable mixtures (pastes containing benzol); fourth story, storage of starch, flour, sugar, pastes, synthetic solvents and empty cartons; fifth story, storage of starch, dextrine, flour and glue; total of 10 persons throughout the building; and

WHEREAS, the applicant contends that the third floor of building No. 3 is separated from the other floors by a fireproof floor and ceiling; that all openings between this building and the adjacent buildings are protected by two approved type Underwriters' doors; that the stairs and elevators are enclosed in a fireproof enclosure with fireproof self-closing doors; that the entire premises (all buildings) are sprinklered; that there are 4 siamese connections on the three streets on which the premises face; that adjacent buildings (No. 1 and No. 4) in addition to being sprinklered, have an approved standpipe system; that the Department of Housing and Buildings approved the benzol tank installation in 1929 (See Permit 12634-1928 and Certificate of Occupancy 54655-1929 for a benzol pump and tank); that the manufacture and storage of this inflammable mixture has been continuous for eleven years; that the fire department approved the benzol tank installation in 1927 (Plan 1103-1927); that the manufacture of the benzol paste can be described as follows: the benzol is drawn from the tank in the fireproof pump house on the Sandford street front of the premises, into approved type five-gallon safety cans, and carried to a tightly closed vat into which an uninflammable paste has previously been poured; the benzol is slowly added and the mixture stirred; it is then drawn off into approved type steel containers ready for delivery; these steel containers are immediately placed in the fireproof storage space and held awaiting shipment; that since no other work will be done in this area, there is no possibility of fire or explosion from any other source.

MINUTES

Resolved, that the decision of the fire commissioner, acting on order No. 82270-LC, Item 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, so as to permit the storage and manufacture of inflammable and combustible mixtures as proposed, limited to the third floor of building No. 3, *on condition* that the storage of benzol shall be in an approved tank and shall be brought into this floor only in five (5) gallons at a time in approved safety cans; that all openings in the side and rear walls shall be protected with self-closing fireproof windows or doors; that no inflammable material shall be stored within this building; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that any motors used on the third floor for the mixing of the material shall be explosion-proof type, as shall also be the electric outlets and switches; and that in all other respects the building shall be maintained to the satisfaction of the fire commissioner.

188-40-A.

APPLICANT—George M. Malcolm, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond (Richmond County Jail).

APPEARANCES—

For Applicant: Arthur Graves and George M. Malcolm.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(188-40-A)

WHEREAS, George M. Malcolm, for Department of Public Works, City of New York, owner, filed February 19, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 9-40, dated January 29, 1940, reads:

"1. This proposed increase in height, which would exceed the tabular height stated in code, is therefore not permitted, (C26-255.0).

2. Two stairways with fireproof inclosures are required remote from each other. (Art. 8, Sec. 152, Old Code C26-273.0, b3).

4. Present stairway does not comply in addition as follows:

(b) Stairs are of insufficient width.

5. The second open stairway is illegal for it connects more than two stories (C26.292.0, 1).

6. The second floor must have an opening into the enclosed stairway. (C26-273.0, 4).

9. Stack enclosures have insufficient protection:

(a) Smoke stack should be of No. 10 gauge and enclosure of 8 inch masonry;

(b) Vent stacks should be enclosed in 3 hr. shafts;

(c) All shafts should continue to roof.

(C26-711.0 & C26-262.0).

10. Steel as shown appears weak. (C26-368.0)." and

WHEREAS, the building is 3 stories and basement (47 ft.) in height, 42 ft. by 93 ft. 3 in. in area on a plot 551 ft. by approximately 190 ft. irregular in area, of Class 3 construction; located in a residence use B area district; erected in 1905 and proposed to be altered to four stories and basement, 52 ft. in height and to be occupied as follows: cellar,

jail and service, 4 persons; first floor, jail, 20 persons; second and third floors, same; fourth floor, kitchen, dining room, recreation room and 8 chambers, 8 persons; and

WHEREAS, the applicant contends as to Objection No. 1 that the tabular height limits in the code applies to all Class 3 buildings where the interior framing may be wholly of wood; that this structure is framed entirely with incombustible materials (steel, concrete and tile); that it cannot be encased in fire-resistive protection because of shape and assembly of same; that the additional story will not add any actual floor area, but will render the attic floor more usable; that as to Objection Nos. 2 and 4-b, the addition of further means of egress in a building where the occupancy will not be increased by more than six persons, would defeat the principle of efficient jail planning, which is to secure detention and its control; that as to Objection No. 5, this stairway occurs in the jail detention area only, where there is no combustible material stored except the prisoners' clothing and bedding; that the stairway has been left open to afford clear vision in the interest of effective supervision; that as to Objection No. 6, while this objection could be complied with structurally, it would reduce the security of the jail and its superintendence; that egress is now had through the service stair to the first floor; that as to Objection No. 9, it is proposed to insert a 5 ft. vertical section in the existing vent and smoke stacks identical in material, weight and size to present work; that the present stacks are in sound condition and are functioning satisfactorily and are enclosed in 3/16 inch steel on the first, second and third stories; that it is proposed to erect a partition around the same on the 4th floor, consisting of 3 inch gypsum block plastered on both sides; that as to Objection No. 10, the present interior vertical structural support within the detention area consists of 3/16 inch thick steel cell walls, reinforced, stiffened and joined by steel angles securely riveted at all connections; that the present attic story has been used for storage and the water tank with approximately 3,000 gallon capacity because this construction has been in place about 35 years and computations and calculations of its strength are extremely difficult; that it is proposed that the alteration plans be approved, subject to a load test on this floor area under conditions prescribed by the superintendent.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 9-40, Objections 1, 2, 4, 5, 6 and 9, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area other than as now proposed; that there shall be installed in the attic story, or fourth story as reconstructed, a sprinkler system complying with all the requirements of the building code therefor, except that it may be fed from the domestic water supply of the building and need not have a siamese connection and provided the standpipe system is maintained throughout the building in accordance with the requirements of the building code therefor; that the smoke stack shall be further protected as proposed; that as to Objection No. 10, the superintendent of buildings may determine the permitted load per superficial foot after load tests have been made as may be required by him or as figured by structural analysis; and, *granted* only so long as the building is continued in its present occupancy as proposed.

202-40-A.

APPLICANT—Rockefeller Center, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street, south side, 237 ft. 7½ in. east of Sixth avenue (Block No. 1264, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: H. M. Schley.

For Administration: Fred Dahlem, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(202-40-A)

WHEREAS, Rockefeller Center, Incorporated, owner, filed February 23, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue, running through to 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 16-38, dated February 20, 1940, reads:

"Your request that this department issue a certificate of occupancy for the above premises has been carefully reconsidered and is again denied for the reason that a marquee has been erected on the 48th street front of the building. This marquee was shown on the plan approved in this department but did not appear on the plans filed with and approved by the Board of Standards and Appeals."

and

WHEREAS, the building is 18 stories and penthouse (190 ft. 2½ in.) in height, 200 ft. by 307 ft. in area; of Class 1 construction; equipped with standpipe and sprinkler systems; erected in 1939; located in a retail use B area district, and occupied pursuant to temporary certificate of occupancy No. 25543, issued December 19, 1939, as follows: sub-cellar, and second sub-cellar, garage; cellar, garage storage and stores; first floor, garage and stores; first mezzanine, garage and stores; second story, garage and stores; third story, offices and showrooms; fourth story, gymnasium, office and fan rooms; fifth to 15th stories, inclusive, offices; 16th to 18th stories, mechanical equipment; and

WHEREAS, the applicant contends that because the marquee in question was erected pursuant to plans filed and approved by the Department of Housing and Buildings, permission is requested for the maintenance of the marquee as it exists as shown on plans filed with this appeal.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 15-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the continuation of the marquee as approved by the borough superintendent thereunder, *on condition* that in all other respects the building and occupancy meet all requirements of all laws, rules and regulations applicable thereto, including the requirements of the Board under Cal. No. 736-38-BZ.

VARIATIONS OF LABOR LAW.

119-40-S.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Frederick A. Ketcher, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(119-40-S)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed January 30, 1940, an application for a variation of the Labor Law as cited in a decision of the borough superintendent of buildings, affecting premises west side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 3-40, dated January 5, 1940, reads:

"5. Show clearly exit facilities from all floors. Same must comply with Sec. 270, Labor Law. All vertical openings between floors must have fireproof enclosures throughout their height. Sec. 270-7, Labor Law."

and

WHEREAS, the existing building, which was built in 1928, is 60 ft. by 62 ft. in area, 77 ft. in height with a small extension on the southeast corner, 12 ft. by 16 ft. in area; constructed of structural steel frame, galvanized corrugated sheet steel siding, ventilated steel sash, precast gypsum slab roof, and operating floors or platforms of checkered steel floor plate and reinforced concrete slabs. The building is supported on concrete filled steel pipe piles with concrete caps. The building also has an extension on the west side, erected in 1928, 64 ft. by 45 ft. in area, one story in height, of the same construction; an extension 21 ft. by 75 ft. in area, 77 ft. in height, was added in 1939, pursuant to permission granted by the Board of Standards and Appeals under Cal. No. 309-39-A. It is now proposed to erect an extension 38 ft. by 62 ft. in area, 77 ft. in height, at the north end of the existing calcining building, as shown on plan filed with this appeal; this extension will be constructed on structural steel frame, corrugated sheet steel siding, ventilated steel sash, precast gypsum slab roof and operating floors or platforms of checkered steel floor plate, and will be supported on concrete filled steel pipe piles with concrete caps. The entire building and extension will be occupied for the manufacture of gypsum; and

WHEREAS, the applicant contends that several doors about 6 ft. wide provide ready egress from the first floor of the building to wide areas surrounding same; that access to the various levels of the building from the first floor is provided by the steel stairs 44 in. wide, as shown on plans filed with the borough superintendent; that while the building is considered as being 3 stories in height, these floors are really operating platforms required to reach various parts of the equipment, and occupy only a small proportion of the floor area of the structure; that not more than three employees at any one time will be on the upper platforms, and that by reason of the nature of their duties they will be at all times in close proximity to the stairway.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted* as to Objection No. 5 of Alt. Applic. No. 3-40, *on condition* that the building shall comply with the requirements of the resolution under Cal. No. 309-39-A and Cal. No. 118-40-A, and that the number of persons employed throughout the building at no time shall exceed ten (10); that the building shall be constructed substantially as proposed; and *granted* only so long as the building is occupied for the purpose proposed, for the manufacture of gypsum products.

121-40-S.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350, and part of Lot No. 2; Block No. 2606, part of Lot No. 3), Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Frederick A. Ketcher, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(121-40-S)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed January 30, 1940, an application for a variation of the labor law as cited in a decision of the borough superintendent of buildings, affecting premises west side of Cabot street, to 138 ft. west of west side of Truxton street, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 1-1940, dated January 5, 1940, reads:

"2. Provide two enclosed fireproof stairways for exit from the 2nd floor. Sec. 270-3 Labor Law."

and

WHEREAS, the proposed building will be 2 stories (45 ft.) in height to peak of roof trusses, 61.5 ft. by 401.5 ft. in area, with an extension 22 ft. by 65 ft. in area at first floor; the second story will be 61.5 ft. by 101.5 ft. in area; the building will be supported on reinforced concrete footings and will consist of structural steel frame, steel roof trusses and steel floor beams, supported on steel columns with steel purlins, girts, bracing and other necessary members; the roof and side walls will be of corrugated asbestos with ventilated steel sash; the second floor will be reinforced concrete and the first floor will be of concrete slab on earth. Stairs will be of steel throughout; and

WHEREAS, the building will be used throughout for the manufacture and storage of gypsum block and gypsum materials with 12 persons on the 1st floor and three on the second floor; and

WHEREAS, the applicant contends as to Objection No. 2 that not more than 12 employees will be required on the first floor; that on this floor there will be about 12 doors 9 ft. wide for receiving and shipping materials; that a majority of these doors will be open during working hours, affording egress to wide areas on three sides of the building; that not more than a maximum of 3 employees will be required on the second floor; that there are two stairways, as shown on plans filed with the borough superintendent; that the area of the second story is such that an employee cannot be more than 60 ft. from the stairway; that stairways as shown on plans, as similar in design and construction to those usually provided for structures of this type.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted*, as to Objection No. 2 of N.B. Applic. No. 1-40, *on condition* that from the second floor there shall be not less than two (2) steel stairways leading to the first floor; that such stairways need not be enclosed or exit to the outside of the building, provided that the building is constructed and arranged and meets the requirements of the resolution of the Board adopted under Cal. No. 120-40-A; that the number of employees on the second floor shall at no time exceed three (3); and *granted* only so long as the building is occupied as proposed, for the manufacture of gypsum products.

APPLIANCE SUBMITTED FOR APPROVAL.

148-40-SA.

APPLICANT—Samuel W. Ross, for Robert Mahler, owner.

SUBJECT—Relma Oil Burner, approval of.

APPEARANCES—

For Applicant: Samuel W. Ross.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(148-40-SA)

WHEREAS, Samuel W. Ross, agent for Robert Mahler, owner, filed February 6, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as The Relma Oil Burner; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 148-40-SA

Approval of Relma Oil Burner.

Samuel W. Ross, agent for Robert Mahler, owner, filed February 6, 1940, an application with the Board of Standards and Appeals for approval of the Relma Oil Burner under the provisions of C19-57 Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

This burner was inspected and tested at 1370 Prospect avenue, the Bronx. Present at the test was Samuel W. Ross, Robert Mahler, L. V. Huber, Chief Engineer and Commissioner Charles M. Blum of the Board of Standards and Appeals.

The Relma Oil Burner is a steam atomizing oil burner unit for use with No. 5 and No. 6 oils. The oil is preheated by passing through a steam chamber.

The Oil Burner consists of a miniature welded steel steam boiler, built around and over the combustion chamber of the burner. The combustion chamber consists of a steel casing extending under the midget steam boiler, forming one complete unit, carrying the steam-oil nozzle and valve arrangement. At the lower portion of the casing there are openings or ports for the supply of secondary air.

The miniature steam boiler, which has a capacity ranging from $\frac{3}{4}$ to $2\frac{1}{2}$ quarts of water is fed directly from the building water supply. This water supply is controlled automatically by a float located in the steam dome. This float operates a water regulator valve. This midget steam boiler is provided with a pressure gauge safety valve, water level glass, and discharge valve for the removal of sediment and cleaning.

The steam oil nozzle is mounted horizontally in the casing below the midget steam boiler; the oil nozzle being located concentrically in the steam nozzle.

The steam and oil nozzle arrangement is such that they are simultaneously opened and closed by a combination valve. This arrangement makes the burner safe for operation, as there cannot be any oil flow, unless there is steam, and the steam is obtained only from the midget steam boiler.

The operation of the burner is as follows:

The water in the midget steam boiler is heated to create steam. The heating is done either by an oil flame or illuminating gas flame

When steam is created in the midget steam boiler to the required pressure the combination steam and oil valve is opened. The flow of steam in the nozzle creates a suction, drawing the oil through the oil nozzle, the oil being atomized by the steam spray. The ignition is automatically furnished from the pilot that heats the midget steam boiler.

MINUTES

Failure of water supply causes failure of steam in the midget boiler, and drop of steam pressure in the midget steam boiler causes the automatic steam and oil valve to shut off instantaneously. Failure of pilot light would cause a drop of pressure in the midget steam boiler and therefore immediate shut-off of oil would follow.

The steam and oil is interlocked so that on the steam pressure rising beyond 10 lbs. the steam and oil are automatically shut off. Control of burner is manual. The burner was operated without any flash back or undue carbon deposit and the shut off was tested at 10 lbs. pressure. Oil feed is by gravity from storage tank. As a result of this test it is recommended that the Relma Oil Burner be approved for use in New York City with No. 5 and No. 6 Fuel Oil, U. S. Dept. of Commerce, for commercial and industrial operation with manual control on condition that the burner be installed and operated in accordance with the oil burner rules of the Board of Standards and Appeals and that the appliance bear a label permanently affixed thereto reading:

Approved by the Board of Standards and Appeals for use in New York City under Cal No. 148-40-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Relma Oil Burner, on condition that the appliance be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

236-38-SM.

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Approval of Sheetrock-Pyrofill Slab Construction, manufactured by United States Gypsum Company.

APPEARANCES—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(236-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed on April 7, 1938, an application with the Board of Standards and Appeals for the approval of the material known as Sheetrock Pyrofill for floor and roof construction; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

February 21, 1940

Cal. No. 236-38-SM

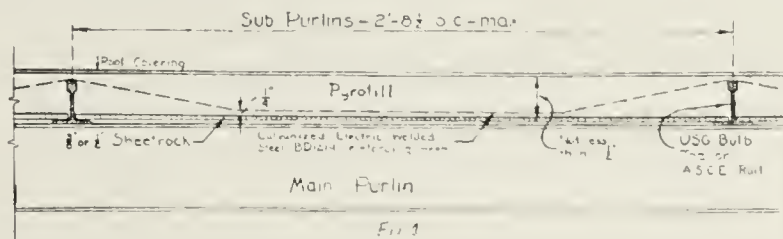
Subject: Sheetrock Pyrofill for floor and roof construction.

The United States Gypsum Company of Chicago, Ill., filed on April 7, 1938, an application with the Board of Standards and Appeals for approval of their gypsum floor and roof construction known as Sheetrock Pyrofill under

section C26-620.0 par. C, sub 1(b) Administrative Building Code, for use as flooring or roofing in Class 2 fire-protected structures. Approval is also requested under C26-619.0 par. b (10.3.1) and as provided for in C26-618.0 par. (a) (10.2.8) Administrative Building Code, for roofs in Class 1, fireproof structures, and Class 2 fire-protected structures where the fire protective covering is omitted from roof trusses.

Pyrofill consists of calcined gypsum to which is added and homogeneously mixed, not more than twelve and one-half percent of ground wood fibre. Gypsum rock is obtained from deposits at Oakfield, New York and Nova Scotia, the latter being identified as New Brighton. The rock is crushed, dehydrated by a rotary calciner process and further processed to plaster used in Pyrofill. Raw material reserves indicate a supply of at least forty years in each deposit.

U. S. G. Sheetrock Pyrofill system of roof and floor construction is a poured-in-place gypsum construction (See Fig. 1) consisting of special rolled U. S. G. Bulb Tees or



standard light weight A.S.C.E. Rails, fusion welded to the main purlins or floor joists on 2 ft. 8½ in. centers maximum, with Sheetrock placed on the flanges of the Bulb Tees or Rails as a permanent form, with a BD-1214 mesh, No. 12 gauge wires on 4 inch centers running across the tees and No. 14 gauge wires on 8 inch centers intersecting at right angles galvanized electric welded reinforcing mat or mesh which is placed over the tees or rails and the sheetrock, and pyrofill (gypsum fibre concrete) poured to a depth of not less than 2 inches and making the total thickness of the slab at least 2½ inches including the sheetrock.

The strength of Sheetrock Pyrofill slabs may be computed by the regular reinforced concrete flexure formula, as provided in the C26-468-AC (8.5.1 BC). The strength of the Pyrofill was determined by compression tests on cylinders made by the Structural Materials Laboratory School of Civil Engineering, Cornell University, Ithaca, New York, under the personal direction of Prof. H. H. Scofield. A digest of these tests dated 11-29-39, is as follows:

COMPRESSION TEST SPECIMENS.

Compression samples were made from the Oakfield and New Brighton samples at the rate of five specimens per sample. One hour after molding (see description below on consistency), the specimens were removed and stored in air for a period of seven days, after which the upper end was capped with calcined gypsum. They were then cured in an atmosphere of 45 percent relative humidity at a temperature of 94 degrees F. and dried to constant weight. Tests were made in a Baldwin-Southwark 10,000 lb. machine, with results as follows:

Oakfield Mill			
Batch Number	Compressive Strength (p.s.i.)	Unit Strain at Maximum Stress (in. per in.)	Tensile Strength (p.s.i.)
5	512	.00239	120
6	518	.00235	110
10	518	.00259	120
11	488	.00302	145
13	497	.00385	150
Average	507	.00284	129
Secant Modulus of Elasticity at 0.4 of Average Ultimate is 374,000 p.s.i.			

MINUTES

	New Brighton Mill		
3	568	.00312	100
4	574	.00270	115
5	572	.00240	105
7	580	.00300	120
9	554	.00210	115
Average	570	.00266	111

Secant Modulus of Elasticity at 0.4 of Average Ultimate is 364,000 p.s.i.

Samples were received at Cornell University from Oakfield, New York and New Brighton, New York for the purpose of testing. The wood fibre was separated mechanically so as to obtain the percentage in each material with results as follows:

Oakfield 9.5% by dry weight
New Brighton 11.3% by dry weight

Check tests were performed at Cornell for sulphur trioxide content in accordance with ASTM C26-33 and the calcined gypsum content calculated from this in accordance with ASTM C28-30 with results as follows:

Oakfield, N. Y., sample 84.1% (60.5% ASTM req't.)

New Brighton, N. Y., sample 82.6% (60.5% not less than)

For consistency, tests were made in accordance with ASTM Flow Test C87-36. With the Oakfield, New York gypsum mixed in a ratio of 82 lbs. of water to 100 lbs. bag of gypsum the average flow was 177% for five samples, the New Brighton gypsum mixed with 73 lbs. of water to a 100 lb. bag of gypsum gave an average flow of 183%.

In addition, load deflection tests were made on Sheetrock Pyrofill Slabs at Columbia University, Report No. 1465 filed herein, wherein two panels of Sheetrock Pyrofill reinforced with welded steel mesh to a total thickness including the Sheetrock of 2½ inches and 3 inches respectively, on three adjacent supports of 32.5 inches on centers. The reinforcement consisted of mesh having longitudinal carrying steel .118 in. in dia. spaced 4 inches o.c. and transverse or distributing steel .107 in. dia. spaced 8 inches o.c. and laid continuously over 12 lb. rails spaced 32.5 in. o.c. ¾ in. Sheetrock was placed on the flanges of the rails and the gypsum concrete used consisted of first settle stucco to which was added wood shavings in the ratio of 12 lbs. of shavings per 100 lbs. of stucco. It was then gauged with water for workability and poured to a depth of 2⅝ in. and 2⅞ in. respectively producing slabs 2.5 in. and 3 in. in thickness. Cylinders 6 in. by 12 in. of gypsum concrete were made with average compressive strength results of 381 lbs. per sq. in. These slabs were loaded on third points with results as follows:

Thickness of Slab*	Span	Area	Load	Unit Load
2.5 in.	32.5	11.72 sq. ft.	6105 lbs.	520 lbs./sq. ft.
3.0 in.	32.5	11.72 sq. ft.	5855 lbs.	499 lbs./sq. ft.

* Including Sheetrock ¾ in. thick.

Note: The gypsum used in these tests has been improved so that values in excess of 500 lbs. sq. in. are obtainable which should result in greater strength in the construction.

On the basis of the Cornell tests which show the ultimate compressive strength of Pyrofill to be in excess of 500 lbs. per sq. in. It is recommended that 125 lbs. per sq. in. be allowed as the working strength of this gypsum concrete. Also based on deformation readings taken during the same tests it is recommended that the modulus of elasticity (secant modulus) be placed at 200,000. In computing the load carrying capacity of Sheetrock Pyrofill Slabs, therefore, $E_s/E_g=N=150$ $F_s=20,000$ lbs. per sq. in. for cold drawn wire as provided for in C-26-366.0 (7.4.3.4) and 18,000 lbs. per sq. in. for the U. S. G. Bulb Tees or A.S.C.E. Rails, and $F_g=125$ lbs per sq. in. may be used, with no structural value attributed to the Sheetrock.

The moment shall be limited $M=w l^2$ (simple spans) dis-

8

regarding any reduction resulting from continuity of any portion of the construction. The maximum length of span

for the U. S. G. Bulb Tees or A.S.C.E. Rails shall be *not more than 6 feet on floor construction* and 8 ft. 6 in. on roof construction with span lengths of U. S. G. bulb tees and A.S.C.E. rails as follows:

Bulb Tee or Rail Spacing	2'-8½"	2'-8½"
Live Load	45 lb.	40 lb.
Total Load (D&L)	65 lb.	60 lb.
Purlin or Joist Spacing	Type of Tee or Rail	
3'0"	No. 178T	No. 178T
3'6"	No. 178T	No. 178T
4'0"	No. 178T	No. 178T
4'6"	No. 178T	No. 178T
5'0"	No. 218T	No. 178T
5'6"	No. 218T	No. 218T
6'0"	12 No. R	12 No. R
6'6"	12 No. R	12 No. R
7'0"	16 No. R	16 No. R
7'6"	20 No. R	20 No. R
8'0"	20 No. R	20 No. R
8'6"	—	20 No. R

Purlin or Joist Spacing Box Channels or tees shall be provided on top of purlin or joists and spaced 2'-8¼" o.c.

Size	Section Modulus
U.S.G. No. 178T	.348 in. ³
U.S.G. No. 218T	.470 in. ³
A.S.C.E. 12 No. R	.630 in. ³
A.S.C.E. 16 No. R	.730 in. ³
A.S.C.E. 20 No. R	1.010 in. ³

On the basis of these computations and tests, approval of 2½ in. Sheetrock Pyrofill Roof Construction System erected with bulb tees or rail sub-purlins spaced 2 ft. 8½ in. on centers, welded to the roof purlins or floor beams, as described above, is recommended under C26-619.0 (10.3.1) for roofs or Class 1 and Class 2 construction where the fire protective covering is omitted from roof trusses as provided in C26-618.0 (10.2.8).

Approval of this system is also recommended under Section C26-620.0 c.1.b. (10.3.2.3, sub. b) which provides for the use of a floor assembly in Class 2 fire protected structures of a 2-inch reinforced gypsum top slab for the floor when the supporting steel joists or beams are protected with at least ⅞ inch gypsum or cement plaster on metal lath.

Whenever U.S.G. steel sub-purlins or A.S.C.E. Rail sub-purlins are placed on steel beams they shall be secured by fusion welding and shall be so placed as to provide adequate bearing. No U.S.G. Sheetrock Pyrofill floor construction systems shall be used as a floor unless it is surfaced with a cinder concrete top or other equivalent material so as to protect against punching shear. Sheetrock Pyrofill shall not be used on floors subjected to heavy moving or vibrating loads. All U.S.G. Sheetrock Pyrofill Roof or Floor Construction Systems shall conform to the specifications and limitations set forth herein. It is further recommended that the applicant file with the Board certified tests quarterly (January, April, July and October) on compression cylinders of gypsum concrete from the New Brighton, New York, and Oakfield, New York, plants. Such samples shall develop an average compressive strength of 500 lbs. per sq. in. with no individual samples less than 450 lbs. per sq. in. based on not less than three samples from each plant.

In gypsum concrete as provided herein, the wood fibre content shall not be more than 12½% by weight of the total weight of dry material. Precautions shall be taken when placing the mesh so as to provide a minimum of ¼ in. of poured gypsum concrete protection and to insure full depth, screeds shall be fastened to the sub-purlins.

In all cases when used in roof construction, the top surface shall be covered with approved roofing material.

It is further recommended that the pouring of all floors and roofs shall be under the supervision of a competent superintendent employed by the applicant. Each bag of Pyrofill shall be stamped, labelled or marked "Approved

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for use in New York City by the Board of Standards and Appeals under Cal. No. 236-38-SM" for use in gypsum fibre concrete.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Sheetrock Pyrofill for floor and roof construction, on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with above report.

745-39-SM.

APPLICANT—U. S. Gypsum Company, owner.
SUBJECT—U. S. G. Steel Roof Deck, approval of.
APPEARANCES—

For Applicant: J. J. Fenstermaker and J. W. Rockwood.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(745-39-SM)

WHEREAS, U. S. Gypsum Company, owner, filed on June 6, 1939, an application with the Board of Standards and Appeals for approval of the material known as U. S. G. Steel Roof Deck for use as a roof deck on steel purlins; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

February 23, 1940.

Re: Cal. No. 745-39-SM.

Subject: U. S. G. Steel Roof Decks.

The U. S. Gypsum Company, of Chicago, Illinois, filed on June 6, 1939, a request with the Board of Standards and Appeals for the approval of their material known as U. S. G. Steel Roof Deck for use as a roof deck on steel purlins, under C26-347.0 (7.3.2.5); for use as a siding on steel girts, under C26-349.0 (7.3.3.1); for use in metal buildings, under C26-243.0 (3.2.5); on the basis of load tests as provided for in C26-626.0 (10.3.8).

U. S. G. Steel Roof Decking is manufactured by the applicant at their plant located in Chicago, Illinois, from steel complying with the requirements of C26-322.0 (7.1.3.3), in U. S. gauges 18, 20 and 22. The material is cold rolled, simulating three sections, which are actually one unit. Reinforcing ribs, 6 in. o.c., are rolled into the plate to a depth of 1½ in. and base of ½ in. These ribs or grooves are narrowed at one end so as to permit the nesting of the mating sheets. Intermediate stiffening beads ⅜ in. deep are provided between the ribs for additional strength and rigidity. An interlock between sheets is provided, consisting of a straight flange on one side and a receiving channel flange on the other. Fastening the ends to the purlins or girts is by means of generous tack welds on each end of the channel flange, which receives the flange from the mating sheet. These sheets are available in a width of 18 in. and in lengths up to 10 ft. 3 in., and are plain or copper bearing. Protection is offered in the form of a coating of standard gray paint or by galvanizing.

Tests on samples of these materials were conducted at Armour Institute under the direction of Professor P. C. Huntley. These tests were made on the basis of simple spans with unrestricted ends, with uniform loading between the supports. The load was applied by means of water pressure obtained by placing water in a flexible rubber envelope; this envelope in area was confined to the dimensions, between supports, of the test specimens. The load carried by the test panel was that caused by the pressure of the water in the envelope due to its head, which is converted to an equivalent load in pounds per sq. ft. The envelope used consisted of flat rectangular shaped rubberized canvas with the four sides folded up. Deflections were measured by a gauge (Ames) located at the center of the span.

The purlin supports were adjustable from 5 ft. to 8 ft. 6 in. in 3in. increments provided on the test frame. The width of the test frame was such that it could be adjusted from 18 in. to 25 in.

The load tests on the several specimens tested for varying lengths of spans with corresponding deflections were as follows:

No. 22 U. S. GAUGE

LIVE LOAD—POUNDS PER SQ. FT.

SPANS	25	30	35	40	45	50
4 ft. 0 in.	.041	.048	.057	.066	.074	.084
4 ft. 6 in.	.066	.078	.092	.106	.120	.135
5 ft. 0 in.	.101	.120	.141	.162	.183	.207
5 ft. 6 in.	.148	.176	.206	.237	.268	.304
6 ft. 0 in.	.178	.214	.249	.285	.320	.356

No. 20 U. S. GAUGE

LIVE LOAD—POUNDS PER SQ. FT.

SPANS	25	30	35	40	45	50
5 ft. 0 in.	.075	.090	.107	.123	.140	.157
5 ft. 6 in.	.124	.147	.173	.197	.223	.249
6 ft. 0 in.	.148	.179	.211	.242	.274	.305
6 ft. 6 in.	.196	.234	.276	.318	.361	.403
7 ft. 0 in.	.272	.329	.384	.442	.504	.563

No. 18 U. S. GAUGE

LIVE LOAD—POUNDS PER SQ. FT.

SPANS	25	30	35	40	45	50
6 ft. 0 in.	.110	.132	.153	.175	.196	.217
6 ft. 6 in.	.148	.178	.206	.236	.264	.293
7 ft. 0 in.	.190	.229	.265	.303	.344	.381
7 ft. 6 in.	.249	.300	.348	.397	.451	.500
8 ft. 0 in.	.325	.391	.453	.517	.583	.651
8 ft. 6 in.	.411	.496	.573	.656	.744	.824

On the basis of this data, the Committee recommends that copper bearing U. S. G. Steel Roof Decks in U. S. gauges of 18, 20 and 22, in widths of 18 in. and lengths up to 10 ft. 3 in. be permitted to be used as roof decking when welded to steel purlins, under C26-347.0 (7.3.2.5); as a siding when welded to steel girts, under C26-349.0 (7.3.3.1); for use in metal buildings when secured by welding, under C26-243.0 (3.2.5), with permitted loads and spans based on a factor of safety of four as follows:

U. S. Gauge	4'0"	4'6"	5'0"	5'6"	6'0"	6'6"	7'0"	7'6"	8'0"	8'6"
22	83	66	53	44	37					
20			81	67	56	48	41*			
18					61	52	45	39*	34*	30*

* Not to be used on horizontal decks.

For sloping roofs, the span length may be adjusted in proportion to the horizontal projection. All decks to be cut to such length so that the ends bear on purlins or girts.

It is further recommended that all decking delivered for use in New York City shall be labelled, tagged or

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marked reading as follows: 'Approved for use in New York City by the Board of Standards and Appeals, under Cal. No. 745-39-SM.'

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as U. S. G. Steel Roof Deck for use as a roof deck on steel purlins, on condition that the material be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

86-40-SM.

APPLICANT—J. A. Zurn Manufacturing Company, owner.
SUBJECT—Zurn Greaseptor, Figure Z-1170 and Figure Z-1171, approval of.

APPEARANCES—

For Applicant: Frank B. Krimmel.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(86-40-SM)

WHEREAS, L. W. White, agent for J. A. Zurn Manufacturing Company, owner, filed January 24, 1940, an application with the Board of Standards and Appeals, for approval of the material known as the Zurn Greaseptor (Grease Trap) Z-1170 and Z-1171; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re. Cal. No. 86-40-SM

Approval of the Zurn Greaseptor
(Grease trap) Z-1170, Z-1171

L. W. White, agent for J. A. Zurn Manufacturing Company, owner, filed January 24, 1940, an application with the Board of Standards and Appeals for approval of the Zurn Greaseptor Z-1170 and Z-1171 (Grease trap) under the provisions of C26-1260.0 (14.5.6) Administrative Building Code.

The Zurn Greaseptor was inspected and tested at 26 Broadway in the presence of L. W. White, representative of the owner and the committee on tests of the Board.

The trap consists of a metal box 15 $\frac{3}{8}$ inches long 12 $\frac{1}{2}$ inches wide and 11 inches deep, with a 2 inch inlet and 2 $\frac{1}{2}$ inch outlet. Inside the metal box is a perforated baffle basket which can be removed; the box has a gasket and cover. Grease laden water entering the Greaseptor through the inlet which is below the water level inside the trap encounter a diffusing vertical baffle plate. The flow of water is retarded and grease rises to the surface. The main flow of waste water continues through the perforated bottom baffle plate and out through the outlet.

It is necessary to remove accumulated grease at intervals, depending on amount intercepted.

When cleaning is necessary both horizontal and vertical baffles are removed with cover leaving interior of trap unobstructed for observation. The cover is secured with combination handle and clamping device arranged to be flush with top surface of cover.

As a result of the inspection and test it is recommended

that the Zurn Greaseptor, Z-1170 and Z-1171 be approved for use in New York City as a Grease trap under the provisions of C26-1260.0 (14.5.6) Administrative Building Code, on condition that the material bear a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 86-40-SM" and on the further condition that the Grease trap be maintained at all times in proper operating condition.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Zurn Greaseptor (Grease Trap) Z-1170 and Z-1171, on condition that the material be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

Adjoined, 5:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING.

FRIDAY MORNING, MARCH 1, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASE.

272-39-BZ.

APPLICANT—City Bank and Farmers Trust Company, owner.

SUBJECT—Application reopened for rehearing February 14, 1940, re Order of the Court—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a restricted retail use district, the erection and maintenance of a motion picture theatre (previously denied by the Board).

PREMISES AFFECTED—645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Levy, Bertram D. Shepard, Clifford M. Pinckney, James Rudman, Thurman Lee, Elliot Ward and others.

For Administration: Paul Moss, Commissioner of Licenses, and Morton Harris, Police Department.

ACTION OF BOARD—Laid over to March 12, 1940, at 10 A.M. No further argument.

Adjourned, 1:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on January 9, 1940, as they appeared in Bulletin No. 3, Vol. 25, are hereby corrected to read as follows:

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THE RESOLUTION—

(1132-39-BZ)

WHEREAS, Robert J. Farrington, for J. Clarence Davies, Inc., and Consolidated Edison Co. of New York, Inc. (F. W. Woolworth Co. lessee), filed September 14, 1939, an application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district the erection and maintenance of an extension to an existing business building; premises: 31-34 Westchester square, west side 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot Nos. 16 and 30), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Tremont avenue is in a business use district; Lane avenue and Frisby avenue are in business and residence use districts; Benson street is in a residence use district; and

WHEREAS, the decision of the borough superintendent dated September 7, 1939 and as amended December 13, 1939, reads:

"1. The proposed extension to business building extending into a residence district is contrary to Section 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 94.17 ft. on East Tremont avenue and 35 ft. on Frisby avenue; an irregular shaped area at the central portion of the plot, and also, a 5 ft. wide strip along the west lot line of the Frisby avenue portion of the plot, which is in a residence use district; the remainder is in a business use district; upon the East Tremont avenue frontage of the plot, there is located a one-story structure, 47 ft. by approximately 100 ft. in area, occupied as a store. It is proposed to erect upon the central portion of the plot, a one-story and penthouse, non-fireproof extension, to the existing store, as shown upon the filed

plans; it is proposed also, to maintain a 12 ft. wide driveway leading from the proposed extension to Frisby avenue, along the west portion of the Frisby avenue portion of the premises. The westerly portion of this proposed driveway is located in a residence use district, and the remainder is in a business use district; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 7c and section 21, of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship to permit the extension of the existing business building.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under sections 7c and 21 of the building zone resolution, to permit the proposed extension into the residential area, substantially as indicated on plans filed with this application, on condition, that there shall be a brick wall constructed on the easterly lot line, continuing the rear line of the extension through to Frisby avenue, that such wall shall not be less than 7 ft. in height and shall be properly coped; that the proposed second story of the extension shall be moved easterly, including the access stairway thereto, so that no portion of the proposed extension shall exceed one story in height along the rear lot line for a distance of 10 ft.; that a substantial fence and gate shall be maintained at the street building line of Frisby avenue; that in all other respects, all laws, rules and regulations, shall be complied with, including the construction of a sprinkler system in the cellar; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

* Correction—The words "gasoline station" deleted in lines 51 and 52 of resolution and the words "business building" inserted therefor.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, OTHER CELLULOSE PRODUCTS AND ADHESIVES AND TREATED ACOUSTICAL MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, April 12, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, other Cellulose Products and Adhesives and Treated Acoustical Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and C19-161.1 as amended by Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in C26-715.0 (12.1.1) and other places of public assembly as provided in C26-161.1, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

No combustible materials, unless flameproofed as provided in these Rules, may be used in buildings included in Rule 1.0. After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.5, shall meet the following requirements as to fire-retardant properties.

3.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

3.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

3.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

4.0 TESTS.

Materials and methods for flameproofing combustible materials for use under these Rules shall be approved by the Board. Tests for each specific installation of treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

4.1 SAMPLING FOR TEST SPECIMENS—Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 4.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

4.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the sample to provide a minimum of three test specimens from each sample for testing.

4.3 CONDITIONING OF TEST SPECIMENS—The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40.

4.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

4.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

4.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 4.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 4.5. The lower end of the test specimen shall be three-quarter inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1-1/2 inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

4.7 RE-TESTS—When required by the Fire Commissioner and these Rules, flameproofed combustible materials shall be re-tested. Such re-testing shall be in accordance with the procedure for new materials as provided in these Rules.

5.0 APPROVAL AND CERTIFICATION.

Approval of flameproofed combustible materials, as provided in Rule 1.0, shall be effective for no more than one year, after which time a re-test shall be made or the material shall be re-treated and re-tested. The Fire Commissioner may require check tests at any time and material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 3.0.

5.1 MARKING—Materials that have been accepted as meeting the requirements of these Rules shall be marked with a suitable stamp, tag or label, reading as follows: "Approved as complying with the Rules for Fire Tests of Flameproofed Materials of the Board of Standards and Appeals" and including thereon the date of such approval.

RULES

RULES FOR FUSION WELDING AND GAS CUTTING.

RULES COVERING THE SPECIFICATIONS FOR DESIGN, FABRICATION AND INSPECTION OF FUSION WELDED STRUCTURES AND THE QUALIFICATIONS OF WELDERS AND SUPERVISORS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 25, 1938.
EFFECTIVE MARCH 21, 1938.

[Cal. No. 1-38-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-514.0 of the Administrative Code (8.6.2.2).

SCOPE.

These rules are supplementary and additional to the requirements for Fusion Welding as permitted under C26-514.0 of the Administrative Code (8.6.2.2) reading:

Fusion welding may be substituted for, or used in combination with, riveting or bolting to connect or assemble the component parts of steel beams, girders, lintels, trusses, columns and other structural steel used in building construction if done under rigid inspection and specification, in accordance with the rules of the Board. These Rules shall also apply to gas cutting.

NOTE: Where a reference in parenthesis appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Application For Permits.

- 1.1 No person shall perform gas or electric welding on structures or parts thereof erected or to be erected within the City of New York except as provided in these Rules and in conformity with C26-211.0 of the Administrative Code (2.3.2).
- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the superintendent. The superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.1 ARC WELDING. A fusion welding process wherein the welding heat is obtained from electric arc formed between the base metal and metal electrode.
- 2.2 BASE METAL. The metal upon which the weld or cut is made.
- 2.3 BUTT WELD. A butt weld is a weld whose throat lies in a plane disposed approximately 90 degrees with respect to the surfaces of at least one of the parts joined. The size of a butt weld shall be expressed in terms of its net or unreinforced throat dimension in inches. C26-158.0 of the Administrative Code, (1.149).
- 2.4 CONTINUOUS WELD. A weld which is uninterrupted throughout the length of the joint.
- 2.5 CRATER. An unfilled concave depression in the fusion area of an arc weld resulting from penetration of the welding arc into the metal thereunder.
- 2.6 FILLER METAL. Metal especially prepared for addition to the weld. This term shall apply to this material only before deposition.
- 2.7 FILLET WELD. A fillet weld is a weld of approximately triangular cross section, whose throat lies in a plane disposed (inclined) approximately 45 degrees with respect to the surfaces of the parts joined. The size of a fillet weld shall be expressed in terms of the width in inches of its adjacent fused

sides. C26-158.0 of the Administrative Code (1.149).

- 2.8 FLAT WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the upper side of the parts joined.
- 2.9 FUSION WELDING. Fusion welding is the process of joining metal parts in the molten, or molten and vapor states, without the application of mechanical pressure or blows. Under these rules fusion welding is restricted to arc and gas welding processes. C26-75.0 of the Administrative Code (1.67).
- 2.10 GAS CUTTING. Gas cutting is the process of severing ferrous metals by means of the chemical behavior of oxygen, in the presence of ferrous metals at high temperatures, to produce a kerf, or cut, of uniform width without burning the edges of the kerf or cut. C26-77.0 of the Administrative Code. (1.69).
- 2.11 GAS WELDING. A fusion welding process in which the heat of welding is supplied by the combustion of oxygen and acetylene or other fuel gas in a suitable torch. Filler metal may be melted from a welding rod. Under these rules, gas welding is restricted to the oxy-acetylene process wherein filler metal is added.
- 2.12 HORIZONTAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being horizontal or inclined not more than 45 degrees to the horizontal.
- 2.13 LAYER. A stratum of weld metal of a fusion weld and consisting of one or more interwoven beads.
- 2.14 OVERHEAD WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the underside of the parts joined.
- 2.15 OVERLAP. A condition of lack of fusion where the deposited metal has overflowed the fused area of metal.
- 2.16 PENETRATION. The linear distance that the deposited metal penetrates below the original surface of the base metal.
- 2.17 ROOT. A root is the zone at the bottom of the cross-sectional space provided to contain a fusion weld. C26-312. (CL) of the Administrative Code (1.122).
- 2.18 SLOT WELD. A weld made in an enclosed or partially enclosed opening formed in one of the parts of a lap joint.
- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Superintendent of Housing and Buildings of the borough having jurisdiction.
- 2.20 TACK WELD. A weld of random size or shape intended only to fix a member or part thereof of a structure, in correct position preparatory to final welding, and shall not be considered to transmit stress.

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- 2.21 **THROAT.** The minimum thickness of a weld along a straight line passing through the root. Throat of a fillet weld is the distance along a line from the root to the hypotenuse at right angles thereto, of the largest isosceles triangle which can be constructed in the cross section of the fillet weld. The throat of a butt weld shall be equal to the thickness of the thinner part joined. C26-53.0 of the Administrative Code (1.144).
- 2.22 **UNDERCUT.** A condition wherein the base and weld metal is melted away leaving a depression, the surface of which lies below the designed surface contour of the joint.
- 2.23 **VERTICAL WELD.** A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being vertical or inclined not more than 45 degrees to the vertical.
- 2.24 **WELD DIMENSIONS.** The dimensions of a weld shall be expressed in terms of its size and length. C26-158.0 of the Administrative Code (1.149).
- 2.25 **WELD LENGTH.** Shall be considered to be the unbroken length of the full cross-section of the weld exclusive of the length of any craters. C26-158.0 of the Administrative Code (1.149).

Rule 3. Design and Supervision.

- 3.1 The licensed architect or licensed professional engineer designing or supervising the construction of a welded structure shall be experienced and skilled in such work. C26-515.0 (c) (8.6.2.3.3).

3.2 PERMISSIBLE UNIT STRESSES.

In the design of welded structures or parts thereof the stress at every connection must be accurately calculated and the required amount and the exact type and location of weld and filler metal with respect to the parts joined be specified.

- 3.2.1 Welded joints shall be so proportioned that the maximum stresses shall be less than the following amounts in pounds per square inch:
- | | |
|---|--------|
| Shear on section through the throat of a weld | 11,300 |
| Tension on section through the throat of a weld | 13,000 |
| Compression on section through the throat of a weld | 15,000 |
- Maximum fiber stresses due to bending shall not exceed the maximum values allowed above for tension and compression respectively. C26-368.0b (6) of the Administrative Code (7.4.5.6).
- 3.2.2 Stress on a fillet weld shall be considered as shear for any direction of the applied stress.
- 3.2.3 Adequate provision shall be made for bending stresses due to eccentricity in the disposition or section of base metal parts.
- 3.2.4 The allowable compressive strength mentioned in these Rules is not intended to prevent butt welds being used across the entire section to transmit the total compressive stress in compressive flanges of beams, girders, truss plates or compression blocks or other members protected against lateral deflection even though such stress exceeds 15,000 lbs. per sq. in., but not exceeding the maximum allowable compressive stress in the parts joined.
- 3.3 **WORKING STRESSES FOR WINDLOADS.** When the stress in any member due to wind is less than 33 1-3% of the stress due to live and dead loads, it may be neglected. For combined stresses due to wind and other loads, the permissible working stresses may be increased 33 1-3%, provided the section thus found is at least that required by the dead

and live loads alone. For stresses due to wind only, the permissible working stress shall be the same as for live and dead loads. C26-372.0, 373.0 and 374.0 of the Administrative Code (7.4.8).

- 3.4 **WELDED GIRDERS.** In welded girders the connection of component parts of flanges to each other and of flanges to webs shall be by continuous or intermittent fillet welds designed to transmit the stress. C26-520.0 (d) of the Administrative Code (8.6.2.8.4).

- 3.5 Girders shall be proportioned either by their moments of inertia or by the flange-area method; in the latter method, when applied to a welded girder having no holes in the web, 1/6 of the web area may be considered a part of the area of each flange. Stiffeners may be either angles or flat plates, welded to the web and flanges by welds designed to transmit the stresses.

- 3.6 **BEAMS.** The use of continuous beams and girders, shall be permitted provided their welded connections be designed to transmit the stresses involved in continuous beam construction and columns are designed for the moment added by such construction. At the ends of non-continuous beams, the connections shall be designed to avoid excessive secondary stresses due to bending.

- 3.7 **WELDED COLUMNS.** C26-520.0 (e) of the Administrative Code (8.6.2.8.5). Fillet welds connecting the component parts of a built-up column may be either continuous or intermittent. If intermittent, the length of each weld at the ends of the column shall be equal to the least width of the column. The length of the intervening welds shall be at least one and one-half inches, spaced at most four inches in the clear. The size, length and spacing of the fillet welds shall be such as to provide the same strength, per unit of column length, as the allowable shearing stresses in structural steel for power driven rivets. Lattice bars and tie plates shall be welded so as to obtain strength equal to that specified in C26-368.0b (6) of the Administrative Code (7.4.5.4). Shearing stresses.

- 3.7.1 Where column splices are welded, welds must be provided equal in strength to the shear of the standard column splice.

- 3.8 **WELDED BUTT JOINTS.** The edges of base metal parts, one-quarter inch or more in thickness, transmitting stress by means of butt welds shall be beveled. For single and double "V" joints, the bevel of each part shall be at least 30 degrees. For single and double bevel joints, the bevel shall be at least 45 degrees.

Before welding, the root edge or face of one part shall be separated from the root edge or face of the other part by not less than 1/16 inch nor more than 1/4 inch.

Butt welds shall be reinforced by depositing additional metal on the weld to a height extending beyond the surface of the thinnest part joined. The height of such reinforcement shall be at least the following percentages of the thickness of the thinnest part joined: 20 percent for single "V" and single bevel butt welds, and 12 1/2 percent on each side, for double "V" and double bevel butt welds. C26-520.0(f) of the Administrative Code (8.6.2.8.6).

- 3.9 **FILLET WELDS.** The length of any fillet weld shall be made not less than four times the weld size or else the size of the weld shall be considered not to exceed 1/4 of the length for purposes of calculating strength under these rules.

- 3.10 **WELDS IN SLOTS OR HOLES.** When welding inside a slot or hole in a plate or other part, in order to join same to an underlying part, fillet welding may be used along the wall or walls of the

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slot or hole, but the latter shall not be filled with weld metal or partially filled in such manner as to form a direct weld-metal connection between opposite walls, except that fillet welds along opposite walls may overlap each other for a distance of one-fourth of their size. No slot or hole shall be less in width or diameter than $1\frac{1}{2}$ times its depth.

3.11 FIELD RIVETED, BOLTED AND WELDED CONNECTIONS. C26-521.0 of the Administrative Code (8.6.2.9).

3.11.1 In tier structures less than 125 feet high, in which the height is less than two and one-half times the minimum horizontal dimension, all column splices and field connections may be bolted.

3.11.2 In structures in which the height is over 100 feet and is more than two and one-half times the minimum horizontal dimension, and in structures 100 feet or less in height in which the height is more than four times the minimum horizontal dimension, column splices and connections to columns shall be riveted or welded.

3.11.3 In structures over 125 feet in height and in all structures of a special character, connections of beams and girders to columns, and beams and girders bracing columns shall be riveted or welded. Column splices in structures 200 feet or more in height shall be riveted or welded. Column splices in tier structures less than 200 feet high (except as provided in the preceding paragraph) may be bolted.

3.11.4 All other field connections may be bolted (except that, in all structures, the connections for supports for running machinery or other moving loads shall be riveted or welded).

3.11.5 Within existing structures steel work for alterations, or additions (except to the main structural framework), which do not affect existing column splices, connections and other riveted or welded work, may be bolted.

3.12 COMPLETION OF WORK.

Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

4.2 WELDERS TO BE QUALIFIED. No person shall perform welding work on any structural member of a structure without having obtained a certificate of qualification from the Board of Examiners for Welders. C26-211.0 of the Administrative Code (2.3.2).

4.2.1 Before a certificate of qualification may be issued authorizing a person to perform welding work on any structural member of a structure, the person applying for such certificate shall have submitted to and satisfactorily passed an examination to determine his qualifications, conducted by Board of Examiners for Welders to be appointed by the Commissioner. A certificate of qualification shall be issued to each applicant having proved his qualifications and upon the payment of a fee of Two Dollars. Such certificate shall continue in effect for a period of one year unless sooner revoked or suspended and to be effective thereafter shall be renewed annually. The annual renewal fee shall be One Dollar.

4.2.2 No person shall be eligible for a certificate of qualification to perform welding work as provided in this section unless he is a citizen of the United States of America.

4.2.3 The Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

Rule 5. Qualification Test for Welders.

5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examiners for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City may be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.2 Qualification for arc welding shall not constitute qualification for gas welding, and vice versa. Qualification for welding with bare electrodes shall not constitute qualification for welding with flux-coated electrodes, and vice versa.

5.3 The foregoing provisions are not intended to bar an applicant from further trial in case of one or more failures, or to require an operator who has passed the tests to qualify anew for every job he may undertake.

5.4 QUALIFICATION REQUIREMENTS.

5.4.1 Before issuance of a certificate of qualification by the Board of Examiners for welders the applicant shall have passed the qualification tests prescribed as follows:

5.4.2 The minimum qualification requirements shall be the welding of test specimens of the type shown in Fig. 2 and specified in Rule 5.4, each specimen to be tested for failure in a reliable tension testing machine and to develop ultimate resistance not less than 80 kips if welded with filler metal of grade 2, 4, 10 or 15; or 67 kips if welded with filler metal of grade 20, 30 or 40.

5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and if the operator is to perform overhead welding, two in the overhead welding position.

5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal

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fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same type of electrodes or welding rods as are to be used in the work for which the operator is being tested; the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify.

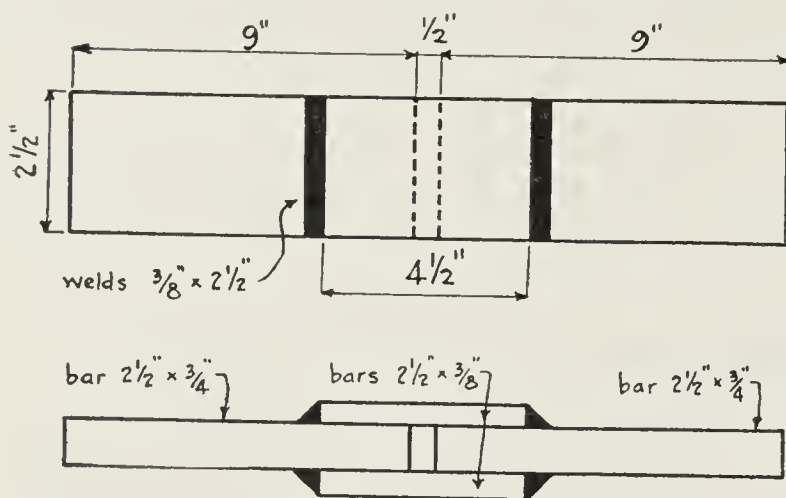


FIG. 2

Welds shall be made as nearly as possible to the designed dimensions, and in conformity with the practices set forth in Rule 6; at every cross-section the weld size in each direction shall be within 1/16 in. of the prescribed 3/8 in.

Rule 6. Quality of Welds.

The quality of welds permitted under these rules shall conform to the following requirements:

- 6.1 The Quality of Test Welds and Construction Welds shall fulfill all requirements with regard to shape and internal quality.
 - 6.1.1 All lap welds shall indicate good penetration to the root of the weld and good fusion at both sides of the bead.
 - 6.1.2 All fillet welds shall show absence of undercutting, proper shape of the bead, lack of overlaps and proper fusion.
 - 6.1.3 All butt welds shall show good fusion without overlapping or undercutting.
- 6.2 **UNDERSIZE WELDS.** Undersize or undercut welds shall be built up by welding to conform to the weld cross-section called for in the drawings and specifications. The surface of previously deposited welds shall be cleaned of oxides or slag before any reinforcing weld metal is applied.
- 6.3 **Shape.**
 - 6.3.1 Welds shall conform in shape to those shown on Figs. 3a and 4a and shall not be undersized.
 - 6.3.2 Surfaces of weld shall be reasonably smooth and uniform in contour. Weld metal along the toe of the weld shall not overlap the base metal surface but shall form an intimate contact therewith as shown in Figure 3.

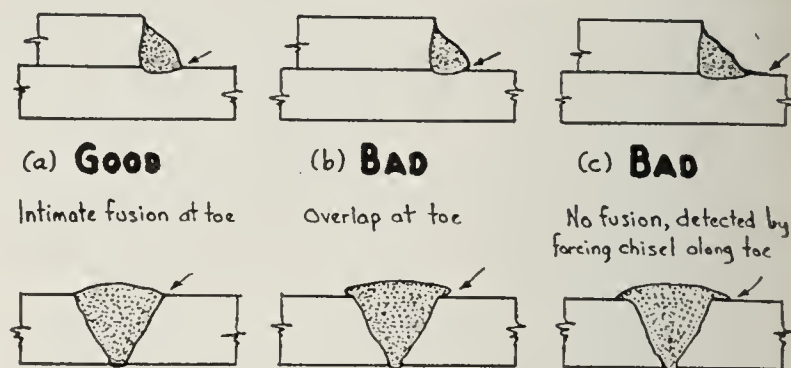


FIG. 3

6.3.3 **INTERNAL QUALITY.** The weld metal shall be sound throughout and shall be free from oxides, non-metallic inclusions and gas pockets. The weld metal shall be thoroughly fused with the base metal along all surfaces and edges of union, and shall penetrate into the root of the weld, as shown in Fig. 4a.

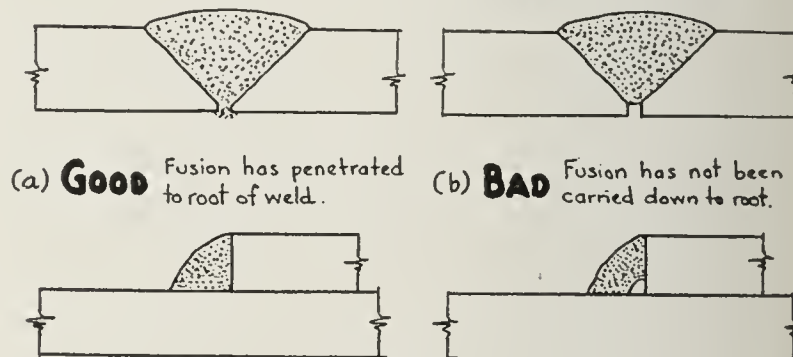


FIG. 4

6.3.4 **WELD ENDS.** The ends as well as the body of the welds shall conform to all the requirements of Rule 6

Rule 7. Specifications and Tests of Welding Materials.

- 7.1 Structural steel shall conform to A.S.T.M. Specifications A-7-36 or A-9-36.
- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the Superintendent as to their ability to produce satisfactory gas cuts.
 - 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.
- 8.2 Gas cutting on any member while it is carrying stress is prohibited (except for detail cutting to correct minor fabricating errors where the removal of metal resulting from such detail cutting would leave unimpaired the required strength of the members to be cut).
 - 8.2.1 Any field cutting of structural members to provide openings or to remove portions of flanges shall not be done, unless provided for in the design.

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- 8.3 Gas cut edges shall be smooth and regular in contour.
- 8.4 Gas cutting may be used in the preparation of base metal parts for welding provided the edges are thoroughly cleaned after cutting so as to expose clean steel.
- 8.5 Gas cutting to replace the milling of surfaces is prohibited.
- 8.6 Gas cutting of holes in a member designed without provision therefor is prohibited.
- 8.7 The radii of re-entrant gas cut fillets shall be as large as possible and at least one inch. To determine the net area of members so cut, one-eighth inch shall be deducted from gas cut edges.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspecting agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Superintendent.
- 9.2 The agency as provided for in 9.1 shall take adequate means to assure that the preparing, gas cutting, assembling and welding of the joints of the structure conform to the design and that the resulting structure is free from deficiencies and injurious defects. He shall keep and submit daily to the licensed architect or licensed professional engineer responsible for the work adequate records of the progress of the work, of difficulties experienced, and of his decision of acceptance and rejection. His records shall allocate a definite and personal responsibility for his acceptance of every weld as to size, location, type of filler metal used and quality of workmanship, and shall evidence that no weld called for in the design has been omitted. He shall require that each welder stamp his identification symbol on his work, and the inspector after inspecting each weld shall do likewise.
 - 9.2.1 He shall inspect for defects and irregularities, plate cracks adjacent to or behind welds crater cracks or cracks in the weld metal.
 - 9.2.2 He shall gauge all welds for deficiency of throat or other critical cross-section.
 - 9.2.3 He shall carefully observe and reject undercutting, overlap or lack of fusion at edges of weld, lack of penetration, or porosity, location of craters, size and shape of bead, and order occasional chipping to determine penetration and correct all or any irregularities of workmanship contrary to the design.
- 9.3 The contractor who is to do welding shall submit to the Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:
 - That each welder or group of welders shall be under the continual supervision of an experienced foreman.
 - That only welders qualified under these rules be employed. Each welder shall exhibit, when required, his Certificate of Qualification.
 - That each welder shall be provided with proper gauges to check his work.
 - That the foreman shall be able to read blueprints and shall lay out and allocate the work each welder is to perform and he shall carefully observe the burn-off of the electrode; the fusion, and penetration of crater; the formation of the bead; and the sound of the arc.

That only the base metal and filler metal conforming to the job specifications and these rules be used.

That the welding equipment furnished shall have proper characteristics to allow good work.

That whenever deemed necessary by the Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
 - The cutting or chipping of a weld shall not extend into the base metal. In removing welds, care shall be taken not to burn or otherwise injure the base metal and after melting the exposed base metal shall be cleaned by chipping and wire brushing.
- 10.3 TACK-WELDS. In making tack-welds, the same precautions should be observed as when starting welds. Where a designed weld will later be made over the tack-weld, the tack-weld shall be made with the same care as required for designed welds.
 - Whenever tack-welds are located where a designed weld will later be made, they shall be made according to the foregoing requirements. When encountered in the final welding operation, they shall be thoroughly fused in with the final weld. Tack-weld should be thickest at the center and should taper at both ends for convenience in carrying the regular weld over the tack-weld (see Fig. 19).
- 10.4 Surfaces to be welded shall be free from mill scale, rust, paint or other foreign matter. A thin coat of

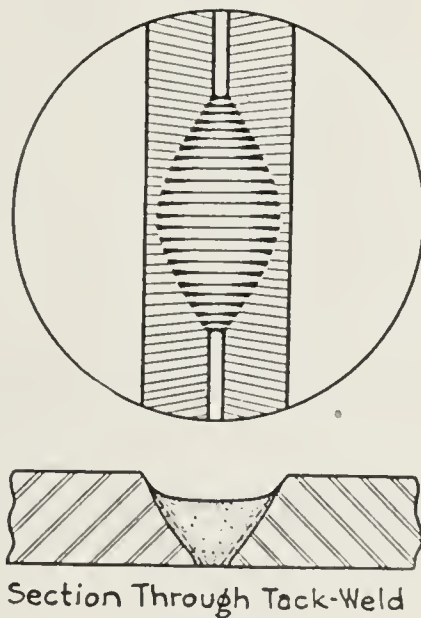


FIG. 19

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linseed oil or its equivalent over the surfaces to be welded need not be removed. These provisions shall apply to new structures and where new steel is to be welded to steel in any existing structure.

Structural steel shall not be painted on any areas where shop or field welding is to be performed, except that a coat of linseed oil without pigment may be used for temporary protection. However, structural members which have been painted, may be welded, provided that the paint is completely removed from the areas to be welded. Parts which are welded in the shop, to be erected by bolts or rivets, shall receive the usual painting if any is required after the shop welding is finished. Parts to be field welded shall receive a coat of linseed oil after shop work is completed, and after erection and field welding, they shall be given two coats of acceptable metal protection if painting is required. C26-522.0 of the Administrative Code (8.6.2.10).

- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by suffi-

cient clamps, or other adequate means shall be employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

Rule 11. Metal Chimneys and Tanks.

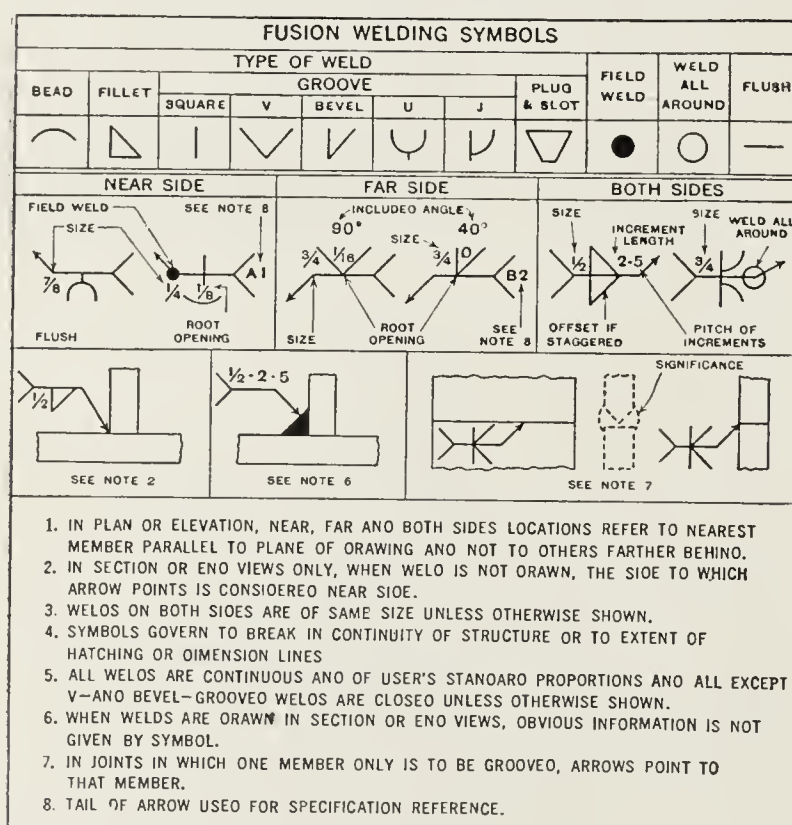
Metal Chimneys and Tanks and all materials entering into their construction, when welded, shall conform to these Rules.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the superintendent symbols for fusion welding and a method of showing them on drawing shall be as shown in figure 1.



NOTE: All dimensions in inches.

FIG. 1

II. Sizes, Chemical Composition and Tests of Filler Metal.

Standard sizes of filler metal are as follows: 1/16, 3/32, 1/8, 5/32, 3/16, 7/32, 1/4, 5/16 and 3/8 in. in diameter. In the case of coated or covered filler metal, the standard sizes refer to the diameter of the core wire.

TABLE 1.—TENSILE REQUIREMENTS FOR DEPOSITED METAL.

Grade	Base Metal	Treatment of Welded Specimen ^a	All-Weld Tension Test	
			Tensile Strength, min., lb. per sq. in.	Elongation in 2 in., min., per cent
No. 2..	Firebox quality steel plate, tensile strength 55,000 lb. per sq. in., min.; or Steel for bridges, tensile strength 60,000 lb. per sq. in., min., with carbon not over 0.25 per cent and manganese not over 1.00 per cent, or equivalent steels.	stress-relieved non-stress-relieved	80 000 80 000	20½ 15½
No. 4..	same as for Grade No. 2	stress-relieved non-stress-relieved	75 000 75 000	20½ 15½
No. 10.	same as for Grade No. 2	stress-relieved non-stress-relieved	60 000 60 000	25 20
No. 15.	same as for Grade No. 2	stress-relieved non-stress-relieved	60 000 60 000	20 17
No. 20.	same as for Grade No. 2	stress-relieved non-stress-relieved	52 000 55 000	10 7
No. 30.	same as for Grade No. 2	stress-relieved non-stress-relieved	45 000 47 000	7 5
No. 40.	same as for Grade No. 2	stress-relieved non-stress-relieved	45 000 47 000	5 3

^a Stress-relieving where called for in these specifications is for the purpose of developing the fundamental properties of the weld metal unaltered by locked-up stress. Values obtained from stress-relieved welded specimens are about 5 per cent lower in tensile strength and 10 to 20 per cent higher in ductility than those of non-stress-

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relieved specimens. The fact that a filler metal test requires stress-relief signifies only that it must develop the strength required regardless of stress-relief, and not that stress-relief must always be used in actual work. Stress-relieving shall be within the range of 1100 to 1200 F. for 1 hr. per 1 in. of thickness. Gas-welded specimens may be heat-treated at higher temperatures than the temperature specified above for stress-relief.

b It is immaterial how these high physical properties are obtained, that is, whether by carbon-steel filler metal with manganese and silicon contents or by the use of some other alloying elements, but the total amount of such other elements shall be less than 4 per cent.

CHEMICAL COMPOSITION.

The filler metal shall be capable of depositing metal conforming to the following requirements as to chemical composition:

Phosphorus, max., per cent.....	0.04
Sulfur, max., per cent.....	0.04

CHEMICAL ANALYSIS.

For arc-welding electrodes, the sample for analysis shall be prepared as follows: A specimen of standard base metal (see Table 1) of sufficient size, shall be prepared, and a pad of five superimposed layers of arc metal deposited thereon. The fifth or top layer shall be ground or machined away and discarded. The fourth layer shall be carefully milled off and used for the analysis specified.

For gas-welding rods, the sample for analysis may be prepared as described in preceding paragraph, except that three layers shall be considered sufficient and the top layer used for the analysis, or analysis may be made of the welding rod. In the latter case, ten rods shall be selected at random from the lot, and milled in such manner as to represent the entire cross-section.

TEST SPECIMENS.

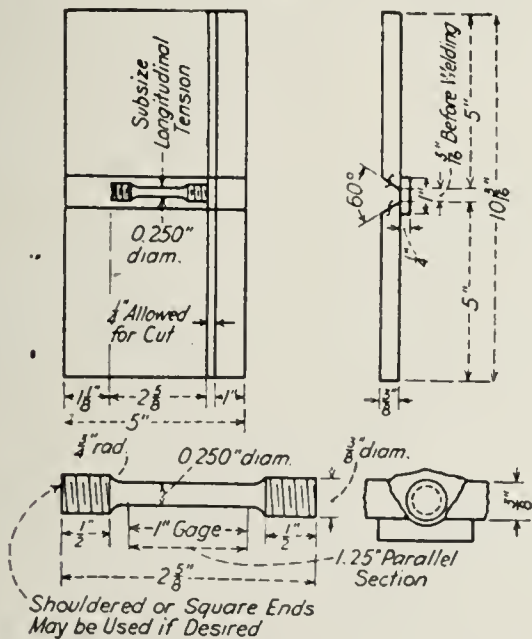
ALL WELD METAL TENSION TESTS. The deposited metal shall conform to the minimum tensile properties specified in Table 1.

SPECIMENS (Test)

From each lot of each size of filler metal, a sufficient number of electrodes or welding rods shall be selected at random and a deposited metal specimen prepared. The specimen shall be prepared in accordance with its proposed use.

For 1/16, 3/32 and 1/8 in. filler metal, a plate 3/8 in. in thickness shall be prepared as illustrated in Fig. 5 and the sub-size all-weld tension specimen prepared as shown.

For 5/32 in. and larger sizes of filler metal, a plate 3/4



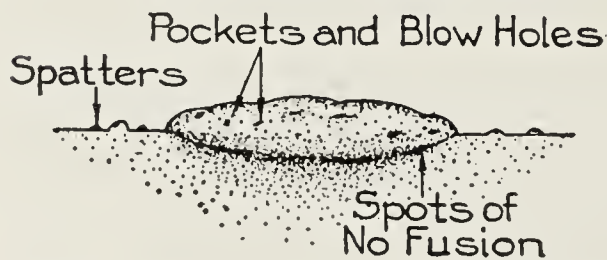
RULES

length and amount of current and incorrect rate of travel, are prohibited. The characteristics of these different conditions are illustrated in Figs. 7 and 8.

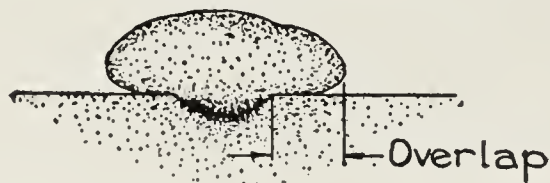
FIG. 7



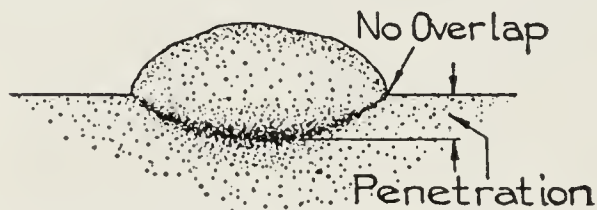
(a) Welding arc has traveled along too slowly



(b) Too long arc used or too rapid travel

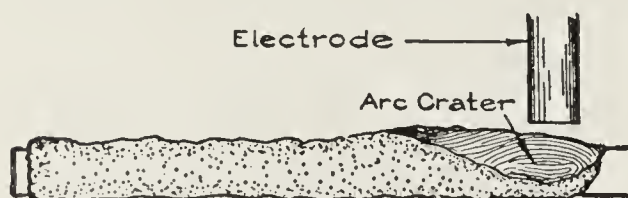
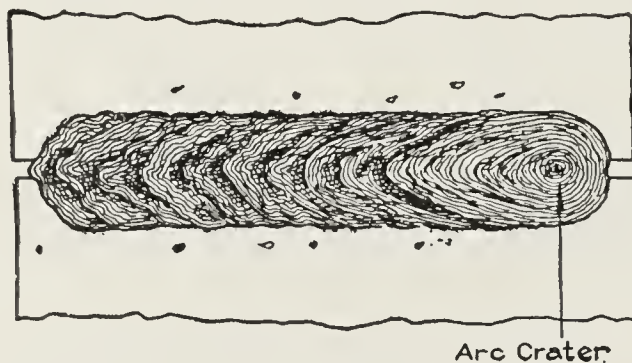


(c) Not enough heat used



(d) Satisfactory weld, "good penetration"

DEPTH OF CRATER. The depth of arc crater should not be less than 1/16 in. (see Fig. 8).



Longitudinal section of deposited metal showing penetration and arc crater.

FIG. 8

LENGTH OF ARC. In manual metal arc-welding, proper fusion, penetration and soundness of weld shall be secured by using as short an arc as can be maintained for each form of weld. A typical example of proper arc length for given thickness of base metal and for a 3/8-in. fillet weld is shown in Fig. 9. When properly manipulated, the arc will throw a steady shower of small sparks, and (in the case of bare electrodes) will be accompanied by a regular, crackling, snappy sound with fractional intervals less than

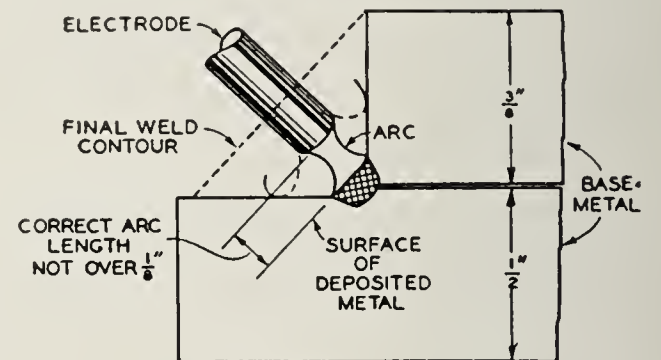


FIG. 9

one-half second between explosions. With a given current, the length of arc depends upon the arc voltage which should not exceed 20 volts.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

Table 2—Current Values and Sizes of Bare and Lightly Coated Electrodes for Various Sizes of Welds

Size of Weld In.	Minimum Number of Layers	Electrodes and Current Values
1/4	1	In all these cases use either 5/32-in. electrodes with 160-180 amps., or 3/16-in. electrodes with 180-225 amps.
3/8	1	
1/2	2	
5/8	2	
3/4	3	

MANUAL OPERATION OF ARC. The arc shall be started by drawing a long arc momentarily to preheat base metal before deposition of filler material to insure thorough fusion at start of weld, or it shall be started moving a short arc rapidly back and forward over a limited area at start.

In case of a long weld where more than one electrode is used, the arc shall be re-started about 1/4 in. to 3/8 in. ahead of the crater, going back over the crater to properly fill it and keep a uniform contour, thus insuring proper preheating as in start of weld.

On single layer welds the arc shall progress with either a straight forward motion or an oscillatory motion depending on size of joint to be filled to bring it up to proper contour and insure proper fusion in root zone.

In multi-layer welding the first layer shall be deposited by moving the arc in a straight forward motion to secure proper fusion in the root zone, while subsequent layers shall be deposited with an oscillatory motion to build up the weld to the proper contour. The first layer shall be

RULES

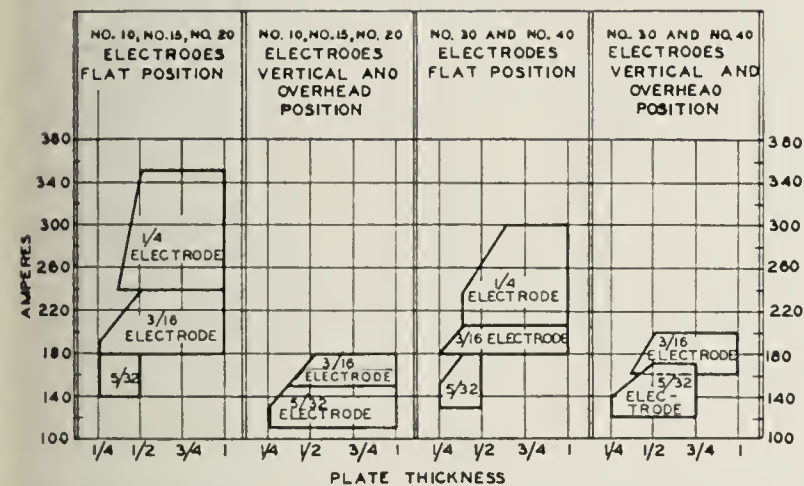
made with an electrode small enough to get thorough penetration at the root zone.

Each layer shall be thoroughly cleaned by brushing or chipping to remove all excess scale and oxides before depositing succeeding layers. The surface of each layer shall be reasonably smooth and uniform in contour.

IV. Heavily Coated Electrodes.

WELDING PROCEDURE. In making welds with heavily coated electrodes the procedure recommended by the manufacturer of the electrodes being used shall be followed, but if such instructions are not available, the procedures given below shall be followed.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metal to be joined. The current ranges in Fig. 10 are given as a guide in selecting the best operating conditions for various electrode sizes and plate thicknesses for flat, vertical and overhead welding. In special cases, other approved sizes and amounts of current may be specified. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.



Current Values and Sizes of Heavily Coated Electrodes for Various Plate Thicknesses for Manually Welded Operations.

FIG. 10

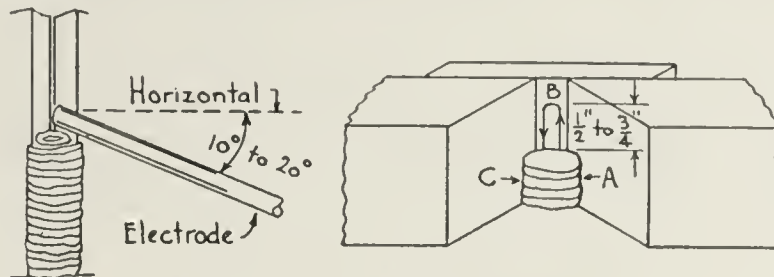
WELDING PROCEDURE FOR FLAT BUTT WELDS. In making butt welds on bevel joints, weave the electrode from one side of the joint to the other. This weaving may not be necessary on the first pass. These oscillations shall be regulated so that the weld metal fuses into the side walls without directing the arc against the walls. This shall be accomplished by pointing the electrode downward and allowing the outer edges of the arc to play lightly on the walls. A stay shall be made long enough on the turns to insure complete fusion into the side walls.

The travel speed shall be regulated to limit the thickness of the layer per pass to not more than 1/8 in.

WELDING PROCEDURE FOR VERTICAL AND OVERHEAD BUTT WELDS. One-eighth (1/8)-in. and 5/32-in. diameter electrodes should be used in the vertical and overhead welding positions, but the 3/16-in. diameter may be used in vertical welding when necessary.

Vertical welds shall be made by welding upward. The first pass should be started by oscillating or weaving the electrode from side to side (Fig. 11A) to produce a weld metal bridge across the "V." Then the arc is to be moved rapidly upward for 1/2 to 3/4 in. along the bottom of the "V" (Fig. 11B), drawing a long arc (about 30 volts), and then back down to the crater again (Fig. 11C), shortening the arc to its previous length. The movement up and down should require about 1/3 sec. and should be easily accomplished with a bending action of the wrist. Its purpose is

to allow the molten metal in the pool to solidify and to preheat the plates ahead of the crater.

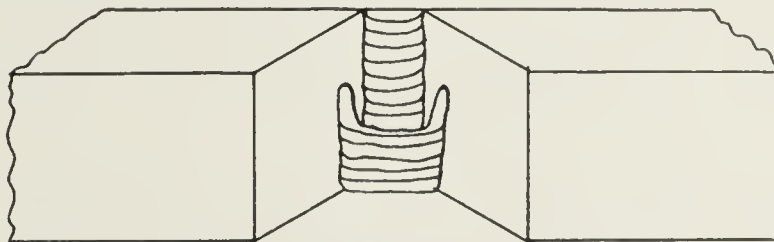


Vertical Butt Weld—First Layer.

FIG. 11

The above cycle of operation shall be repeated all the way up, each time depositing a thin layer of metal on top of the preceding layer. The travel speed on the first pass shall be regulated to limit the deposit to the equivalent of about a 1/4-in. fillet weld. On succeeding passes, the thickness shall not exceed 1/8 or 5/32 in. The successive passes shall be made by this up and down technique or by successive horizontal weaving.

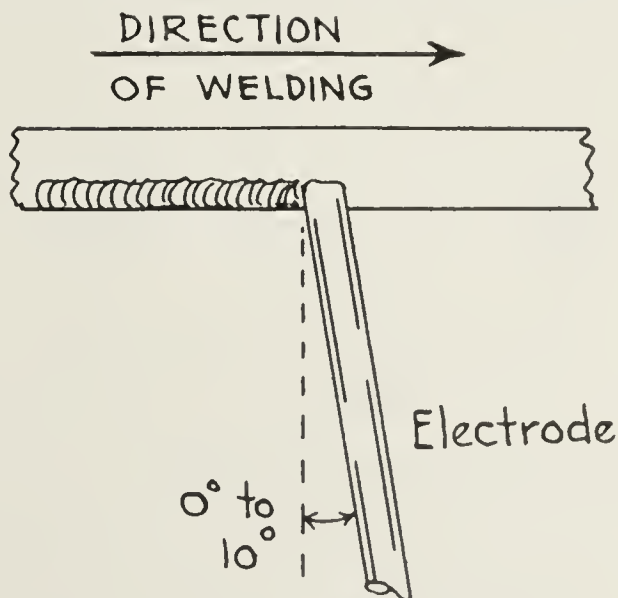
If, in making the second and succeeding passes, a procedure similar to that of the first pass shall be used, the motion (Fig. 12) to be across the pool or shelf, then upward and back at one side of the "V," then across the shelf to the other side, and up and back to the shelf again. The up and down motions shall be done rapidly, lengthening the arc while doing so. If the procedure of weaving straight across is used, it shall be similar to the above except that the up and down motion at each end of the shelf is eliminated.



Vertical Butt Weld—Second Layer

FIG. 12

For overhead butt welds, the procedure shall be the same as that previously described for vertical welds. The electrode shall be pointed upward and sometimes leaning slightly forward, as shown in Fig. 13. A shelf on which to work shall be deposited at the start and the cycles of operation shall be the same as those for vertical welding.



Overhead Butt Weld.

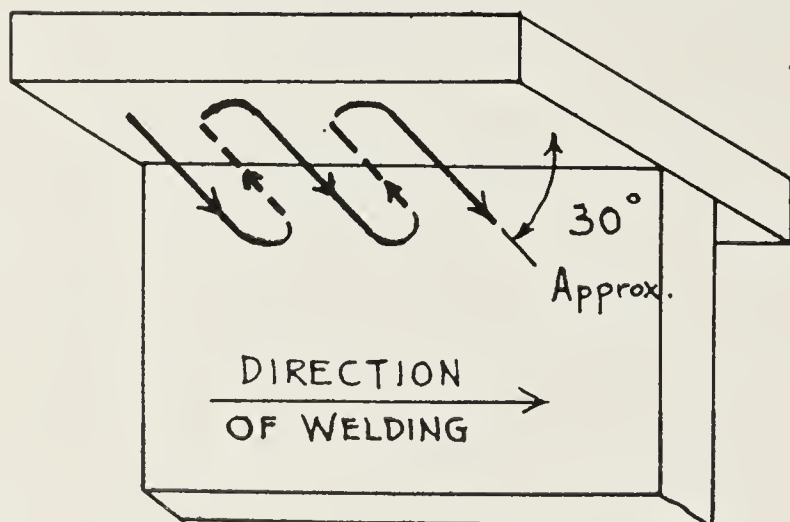
FIG. 13

RULES

WELDING PROCEDURE FOR FLAT AND OVER-HEAD FILLET WELDS. For light fillet welds ($\frac{1}{4}$ in. or less) and the first pass of multiple pass welds, the electrode shall be moved only in the direction of travel. The second and successive passes or heavy single-pass welds ($\frac{3}{8}$ in. for example) shall be made by weaving the electrode in a plane making an angle of about 30 degrees with the underside of the plate, as shown in Fig. 14. The solid line represents actual welding. The dotted line represents an upward skip done in about $\frac{1}{3}$ sec.

WELDING PROCEDURE FOR VERTICAL FILLET WELDS. Vertical fillet welds shall be made in the same manner as vertical butt welds.

WELDING PROCEDURE FOR MULTI-LAYER FILLET WELDS IN ANY POSITION. In certain cases fillet welds insizes up to $\frac{3}{8}$ in. may be made in a single pass by holding the electrode at a suitable angle and moving it along at a uniform rate. Where the fillet weld

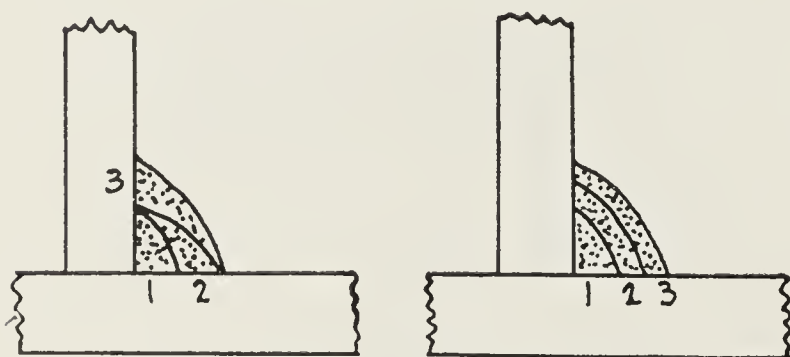


Overhead Fillet Weld.

FIG. 14

requires more than one layer, the second and subsequent layers shall be deposited as a complete spread over the previously deposited metal or in two or more parts as shown in Fig. 15.

ALTERNATE METHODS OF MAKING MULTI-LAYER WELDS



Flat, Vertical, or Overhead Fillet Weld.

FIG. 15

V. Requirements for Gas Welds.

WELDING FLAME. Torches may be either single or multiple flame. The adjustment of the welding flame shall be the same as used in the qualification tests.

The size of the inner cone or inner cones shall be regulated for varying thicknesses of base metal so that the proper amount of heat and flame condition is obtained to

properly perform the welding operation. The criterion for welding flame regulation is that the inner cone or inner cones should be of a size and character which produce sufficient heat to maintain the welding puddle in a quiet molten state, and to cause fusion of the welding puddle with the base metal.

The orifice of the welding tip shall be kept clean at all times during the welding operation so that the regular and symmetrical inner cone or cones can be maintained.

WELDING ROD. The size of the welding rod to be used shall be such that the rod shall be of sufficient diameter to maintain the welding puddle in a quiet molten state.

STARTING WELDS. In starting a weld, the base metal shall be heated to a dull red for a distance of from 1 to 2 in. along the joint so that the point of welding can be brought to the fusion temperature evenly before welding rod is added. If the weld is stopped for any reason, the same precautions should be observed upon restarting.

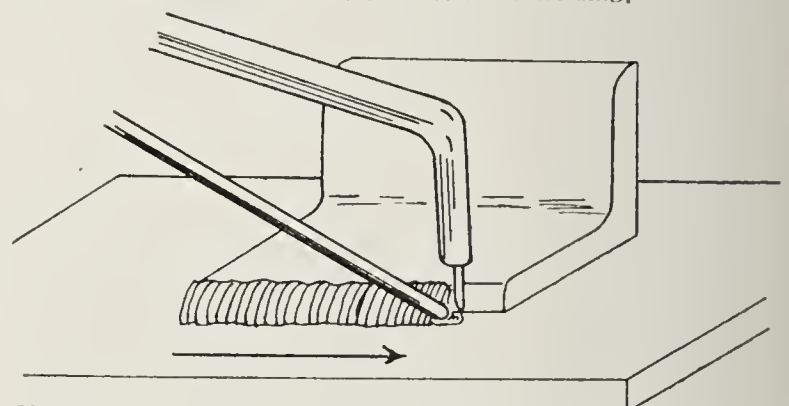
WELDING TECHNIQUE—GENERAL. The welding torch and welding rod shall be manipulated so as to maintain a definite puddle of molten weld metal without overheating either the base metal or deposited metal. The end of the welding rod shall be kept within the limits of the puddle at all times, particular care being taken not to disturb the rear edge of the puddle which might cause slag on the surface to become entrapped in the weld metal. In manipulating the flame, the tip of the inner cone shall preferably not touch either base metal, puddle or welding rod.

Either backhand or forehand technique may be employed. The various positions of welding rod and flame with respect to each other in backhand and forehand techniques are illustrated in Figs. 16 and 17.

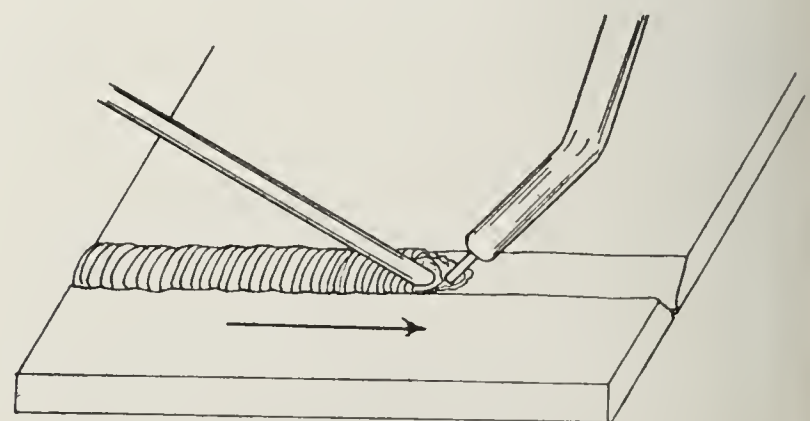
In carrying the puddle forward, the base metal surfaces just in advance of the puddle shall be prepared for fusion with the puddle by melting sufficient surface metal to remove oxides and expose sound base metal. In some cases this depth of melting may be $\frac{1}{32}$ in. or less. Manipulation of the rod and flame in controlling the puddle shall

FIG. 16

Positions of Rod and Flame in Backhand Technique. Arrow indicates direction of welding.

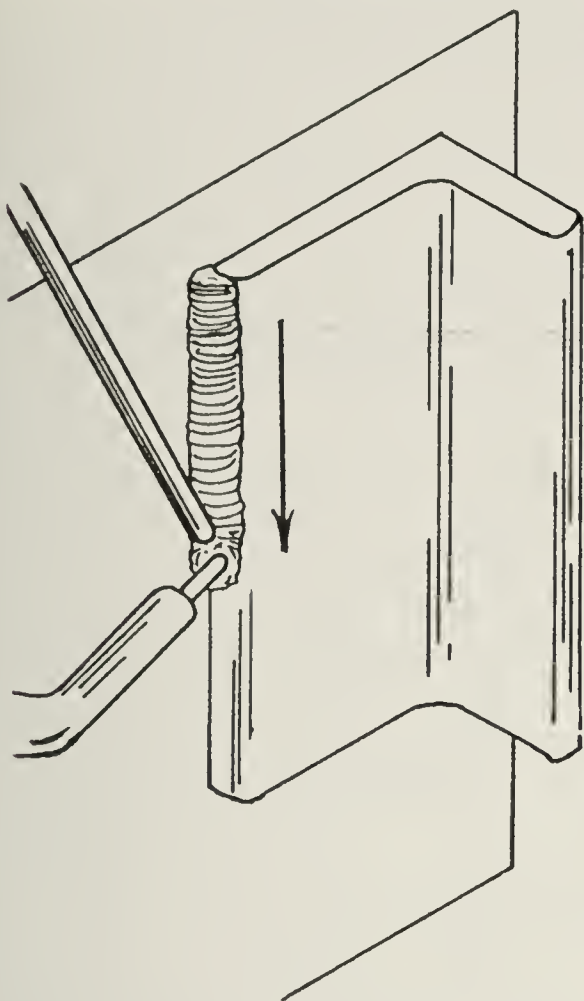


Fillet Weld—Flat Position.

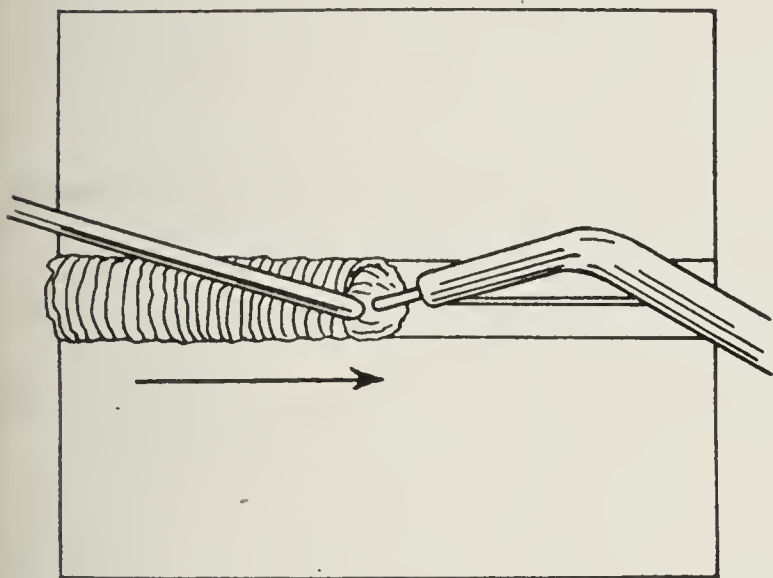


Butt Weld—Flat Position.

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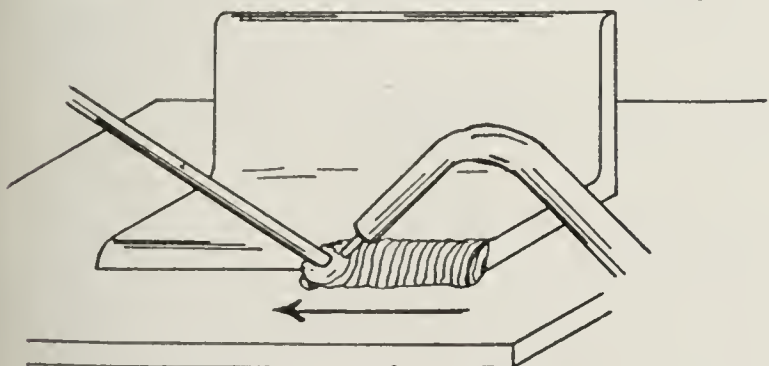
Fillet or Butt Weld—Vertical Position.



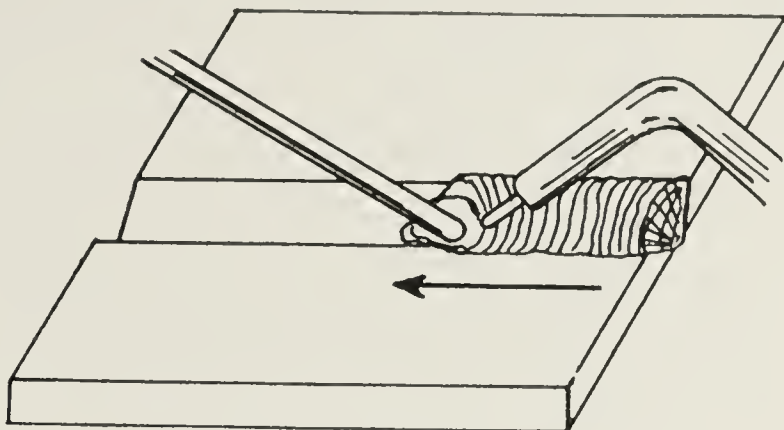
Fillet or Butt Weld—Horizontal Position

FIG. 17

Positions of Rod and Flame in Forehand Technique.



Fillet Weld—Flat Position.



Butt Weld—Flat Position.

be such that at no time is molten metal from the puddle permitted to flow ahead until this melting has occurred.

For welding in positions other than flat, it shall be permissible to carry a fairly shallow puddle for convenience in controlling it. When using backhand technique, this shall be done by distributing the molten metal in the puddle with the end of the welding rod, providing the puddle is kept sufficiently molten so that surface oxides do not become entrapped in the weld.

FILLET WELDS. When fillet welding in the flat position, there is a tendency for the top plate to melt before the bottom plate. This shall be avoided by pointing the flame more against the lower plate as shown in Figs 16 and 17. It is essential that fusion be secured at the inside corner or root of the joint, the welding rod and inner cone shall be manipulated so this result will be secured. If desired, the welding rod may be stirred lightly, well within the bounds of the puddle, to maintain a shallow puddle and distribute the molten metal so as to obtain readily welds of proper size and shape.

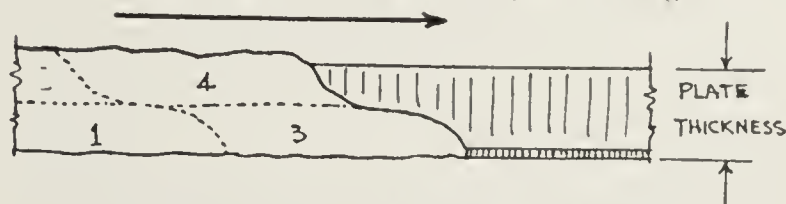
BUTT WELDS. When butt welding in the flat position, manipulation of rod and inner cone shall be such that the bottom of the vee is fused together at the same time but in advance of the upper walls of the vee so that the weight of the puddle does not cause molten metal to sag inside the joint. Where spacing of the joint exceeds $1/6$ in., it is allowable to weld the bottom of the vee together in a separate operation. $1/2$ in. to 1 in. at one time ahead of the principal point of welding.

MULTI-LAYER WELDING. Multiple layer welding may be used in place of single layer welding for all positions of welding and thicknesses of metal, but especially for welds of larger size. The criterion shall be the size of puddle that can most effectively be carried by the welder for the particular position of welding. If the completion of a weld in one layer requires a puddle larger than indicated by this criterion, two or more layers shall be made.

The layers of the weld may be made continuously for the full length, or the welding may be done by the "step" method illustrated in Fig. 18.

FIG. 18

"Step" Method of Multi-Layer Welding.

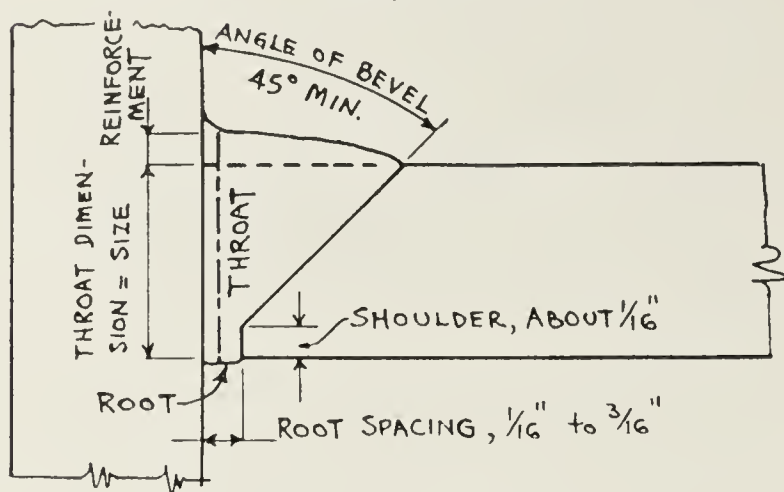


Sequence of "Step" Welds Shown by Numbers.

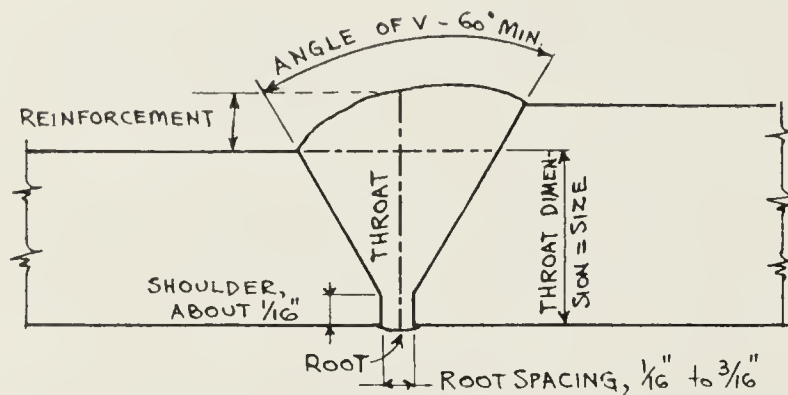
VI. Illustrations of Butt and Fillet Welds.

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FIG. 20

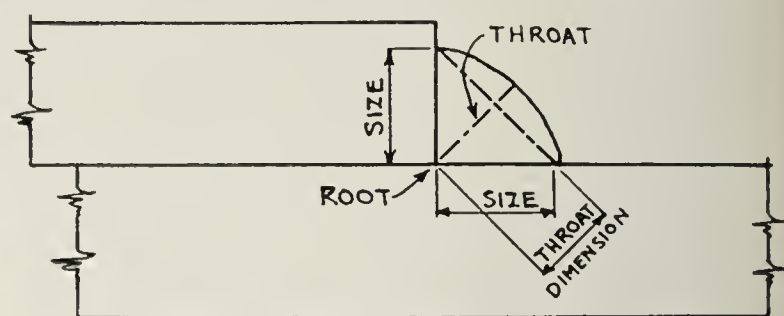


Single Bevel Butt Weld.

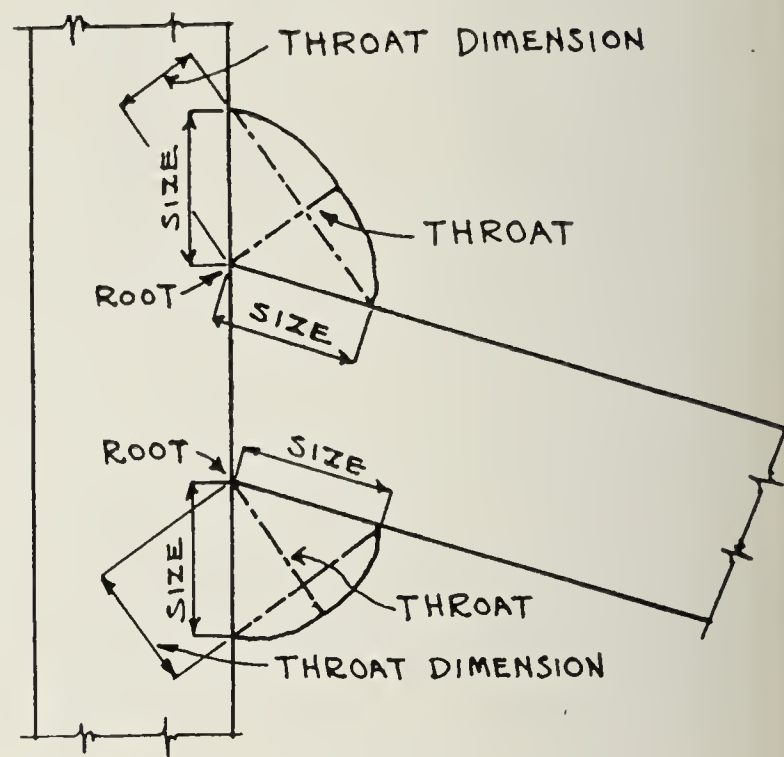


Right Fillet Weld.

FIG. 21



Single-V Butt Weld.



Oblique Fillet Weld.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Crocker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.
Alro	720-38-SA
Fee and Mason	10-36-SA
Flagg	345-35-SA
J. H. N.	292-35-SA
Moore and Kling, 6 inch Type D	184-38-SA
Newbury	223-35-SA

Name	Calendar No.
Preferred	213-35-SA
Rhode Island	204-35-SA
Seal-O-Strain	48-35-SA
Sealtite	231-35-SA
Simplex	214-35-SA
Weco	78-38-SA

RULES

RULES ON USES OF INSULATING FIRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10

Maximum linear expansion, per cent	1/2	1/2	—
Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens 1/2 inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" joint d. or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding 1/2 hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1 1/8" No. 13 gauge blued or galvanized plaster board nails, with 3/8" heads for 1/2" board and 1 1/4" nails with 3/8" heads for 3/4" or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than 2/3 by weight of sand and 1/3 calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1 1/2 hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than 1/4" thick.

2.1.2.2 "BROWN OR SECOND COAT."

The brown coat shall contain not more than 3/4 by weight of sand and the remaining 1/4

RULES

shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of 1/2" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with 1 1/2" wire nails, 6" or less c-c, with 3/8" head, and for 3/4" or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE.

Untreated combustible insulation board of a single layer or thickness not to exceed 1/2" when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules, C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building,
New York City.

Vol. XXV	Subscription \$2.50 a year	MARCH 12, 1940	Single Copies, 5 cents By Mail, 8 cents	No. 11
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Fire Retarding Rules for Garages, etc.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to March 12, 1940.

Cal. No. Department. Premises Affected.

246-40-SM.....Bell Mine Rotary Kiln Masons Quicklime, manufactured by Warner Company, Bellefonte Division, Material.

247-40-SM.....Millard's Modern Pebble Lime, $\frac{1}{8}$ in. and $\frac{3}{8}$ in., Millard's Modern Pulverized Lime and Sweet Arrow Masons' Hydrated Lime, manufactured by H. E. Millard, Material.

248-40-A.....F.D.....35-27 30th avenue, northwest corner of 36th street (Block No. 629, Lot No. 41), Long Island City, Borough of Queens, 81949-C and Decision.

249-40-A.....H.B.M....18-26 East End avenue and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan, F.P. Applic. 1152-39.

250-40-SM.....National Carbide V-G Light, manufactured by National Carbide Corporation, Material.

251-40-A-WF.H.B.Q....40-33 Lawrence street, east side, 54.17 ft. south of 40th avenue (Block No. 5037, Lot No. 12), Flushing, Borough of Queens, Misc. Applic. 679-40.

252-40-BZ....H.B.Q.....25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens, N.B. 5934-39.

253-40-BZ....H.B.M....1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan, Decision—re Certificate of Occupancy.

254-40-SM.....M. B. Suydam Company, Paint for Field Coat for Structural Steel, manufactured by M. B. Suydam Company, Material.

255-40-BZ....H.B.Q.....81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st

street and 81-02 to 81-10 Atlantic avenue, southeast corner (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens, N.B. 511-40.

256-40-BZ....H.B.M....458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan, Decision—re Certificate of Occupancy.

257-40-SM.....Acousteel, manufactured by The Celotex Corporation, Material.

258-40-SM.....Celotex Acoustical Products (Acousti-Celotex Cane Tile, Acousti-Celotex Mineral Tile, Absorbex, Calicel, Calistone and Muffletone, manufactured by The Celotex Corporation, Material.

259-40-A.....H.B.Q.....West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street), N.B. 7254-39 and N.B. 7255-39.

260-40-BZ....H.B.B.....5501 to 5519 18th avenue, southeast corner of 55th street (Block No. 5494, Lot No. 29), Borough of Brooklyn, Alt. 5458-39.

261-40-A.....H.B.Bx...167 Delancey place, east side, 213 ft. north of Morris Park avenue (Block No. 4056, Lot No. 7), Borough of The Bronx, Alt. 432-39.

262-40-A.....F.D.....27-16 23rd avenue, west side, 40 ft. north of 28th street (Block No. 853, Lot No. 43), Astoria, Borough of Queens, 81947-C and Decision.

263-40-A.....F.D.....537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn, 3421-L.F. and Decision.

264-40-SM.....Standard Concrete Filled Column,

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manufactured by Standard
Column Company, Material.

265-40-BZ....H.B.Q....211-16 45th drive, south side, 100
ft. east of 211th street (Block
No. 7315, Lot No. 9), Bay-
side, Borough of Queens,
N.B. 10274-39.

266-40-SM.....Stucoustic Acoustical Plaster,
manufactured by California
Products Company of New
York, Material.

267-40-SM.....Everseal Red Oxide Primer
(Shop Coat) and Everseal
Black Structural Steel Paint
(Field Coat), manufactured
by Everseal Manufacturing
Company, Inc., Material.

268-40-A.....H.B.B....147-165 Wolcott street, south side,
125 ft. west of Conover street
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Borough of Brooklyn,
B.N. 161-40.

269-40-SM.....Carbic Flood Lights, Types CFL
2 and CFL 3, manufactured
by The Linde Air Products
Company, Material.

270-40-A.....H.B.Q....84-24 116th street, west side, 180
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Richmond Hill, Borough of
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Misc. Applic. 671-40.

271-40-A.....H.B.B....2325 West street, east side, 220
ft. south of Avenue W (Block
No. 7176, Lot No. 67), Bor-
ough of Brooklyn,
Alt. Applic. 3039-39.

272-40-BZ....H.B.Bx...West side of Kappock street, 475
ft. north of Johnson avenue
(Block No. 3407, Lot Nos.
128 and 84), Borough of The
Bronx, N.B. 246-39.

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13-38-BZ....H.B.M....4300 Broadway and 663 West
183rd street, northeast corner
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38, 39 and 40), Borough of
Manhattan,
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1196-39-A.....H.B.B....322-328 Dean street, south side,
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(Block No. 198, Lot Nos. 15,
17 and 18), Borough of
Brooklyn, Alt. 2942-39.

95-26-BZ....H.B.Bx...1234-1236 Jerome avenue, east
side, 110.74 ft. south of East
168th street, and 1233-1237
River avenue (Block No.
2489, Lot No. 11), Borough
of The Bronx,
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Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

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CALENDAR

MARCH 12, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 12, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 272-39-BZ—Application of City Bank and Farmers Trust Company, applicant and owner, reopened for rehearing February 14, 1940—re order of the court—re Application, previously denied by the Board, under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre; premises 645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.

CAL. NO. 776-39-BZ—Application, June 2, 1939, under section 7h of the building zone resolution, of William R. Stanert, applicant, on behalf of Durfey-Ash Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

CAL. NO. 1079-39-BZ—Application, August 29, 1939, under section 7h of the building zone resolution, of Edmund T. See, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brightonwater court, south side, 107 ft. 5 in. east of Brighton East 4th street and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

CAL. NO. 586-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary L. Moll and Charles London, owners, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

CAL. NO. 1465-39-BZ—Application, December 1, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Scheel Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth

avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1013-39-BZ—Application, July 31, 1939, under section 21 of the building zone resolution, of Norman L. Adolf, applicant, on behalf of Anna Greenberg, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th Avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1478-39-BZ—Application, December 5, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 197-39-BZ—Application, December 20, 1939; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar February 27, 1939, under section 21 of the building zone resolution, of Rudolph B. Weiss, applicant, on behalf of Louise De Vito, owner (William De Vito, lessee), to permit in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop; premises 150-47 12th road and 12-28 to 12-30 Cross Island boulevard, northwest corner (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

MARCH 12, 1940, 2 P. M.

Appeals from Administrative Decisions.

59-40-A—310-316 Flatbush avenue, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

208-40-A—14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan.

212-40-A—28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens.

81-40-A—128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57½), Borough of Manhattan.

224-40-A—385 Gerard avenue, southwest corner of East 144th street (Block No. 2349, Lot No. 90), Borough of The Bronx.

198-40-A—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.

1491-39-A—30-02 to 31-20 Star avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296, Lot No. 51), Long Island City, Borough of Queens.

29-40-A—154-170 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan.

222-40-A—124 East 70th street, south side, 120 ft. west of Lexington avenue (Block No. 1404, Lot No. 62), Borough of Manhattan.

1212-39-A—334-336 East 48th street, south side, 175 ft. west of First avenue, and 335-339 East 47th street (Block No. 1340, Lot Nos. 31, 34 and 35), Borough of Manhattan.

249-40-A—18-26 East End avenue and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan.

219-40-A-WF—41-01 to 41-05 Lawrence street, southeast corner of 41st avenue (Block No. 5039, Lot No. 8), Flushing, Borough of Queens.

232-40-A—65-74 Saunders street, south side, 100 ft. west of 66th avenue (Block No. 3087, part of Lot No. 25), Forest Hills, Borough of Queens.

87-40-A—36-05 to 36-15 36th avenue, northwest corner of 37th avenue (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens.

MARCH 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, March 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Fannie Silverman, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under sections 7h and 21 of the building zone resolution, of Herbert C. Drescher, applicant, on behalf of Lab Holding Corporation, owner, (Kemps Restaurant, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18 and part of Lot No. 15), Flushing, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 328-39-BZ—Application, March 15, 1939, under section 21 of the building zone resolution, of Robert Howard Cook, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 1307-39-BZ—Application originally filed October 24, 1939, amended application, March 6, 1940, under section 21 of the building zone resolution, of Joseph J. Furman, applicant, on behalf of Peter Schmuck and 346 West 44th Street Realty Corporation, owners, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and, also, the omission of the required rear yard (amended as to application for use of section 7h of the building zone resolution, the City of New York, trustee for May Lillian de Ruggiero and guardian for on behalf of Chase National Bank of

CALENDAR

of Joseph Sliva, applicant and lessee, part of premises for parking and storage of more than five (5) motor vehicles; premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 55), Borough of Manhattan.

CAL. NO. 1322-39-BZ—Application, October 26, 1939, under section 7h of the building zone resolution, of William I. Hohauser, applicant, on behalf of Clinton Estates, Inc., to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

CAL. NO. 1463-39-BZ—Application, November 30, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Temple Gates of Prayer (also known as Congregation Shaari Tefilla), owner, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities; premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

CAL. NO. 1468-39-BZ—Application, December 2, 1939, under sections 7a and 7e of the building zone resolution, of Harry B. Lindberg, applicant, on behalf of Borden's Farm Products Division of The Borden Company, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

CAL. NO. 1236-39-BZ—Application, October 10, 1939, under section 7h of the building zone resolution, of Robert J. Reiley and Charles C. Reiley, applicants and owners (Otto A. Bradman and John Resto, lessees), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

CAL. NO. 1426-39-BZ—Application, November 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Leon G. Wertheimer, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 331 Morris Park avenue, northeast corner of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.
- 65-40-A—140-09 Rose avenue, west side, 78 ft. north of Kissena boulevard (Block No. 5230, Lot No. 37), Flushing, Borough of Queens.
- 32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.
- 107-40-A—744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn.
- 47-40-A—759 Sixth avenue, west side, 39.8 ft. north of West 25th street (Block No. 801, Lot No. 38), Borough of Manhattan.
- 48-40-A—765 Sixth avenue, west side, 79.6 ft. north of West 25th street (Block No. 801, Lot No. 40), Borough of Manhattan.
- 84-40-A—78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan.
- 245-40-A—1331 Halsey street, northwest corner of Irving avenue (Block No. 3407, Lot No. 1), Borough of Brooklyn.
- 268-40-A—147-165 Wolcott street, south side, 125 ft. west of Conover street (Block No. 574, Lot No. 12), Borough of Brooklyn.
- 241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.
- 270-40-A—84-24 116th street, west side, 180 ft. south of 84th avenue (Block No. 9215, Lot No. 19), Richmond Hill, Borough of Queens.
- Variation of the Labor Law.*
- 55-40-S—21-02 to 21-16 43rd avenue, southeast corner of 21st street (Block No. 441, Lot No. 16), Long Island City, Borough of Queens.

MARCH 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions

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of the building zone resolution, *Tuesday morning, March 26, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 502-32-BZ—Application of Lama and Proskauer, applicants, on behalf of C. J. A. Realty Corporation, owner, reopened February 14, 1940, for consideration as to extension of time to complete work—re Application, previously granted on condition, under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

CAL. NO. 17-40-BZ—Application, January 5, 1940, under section 7h of the building zone resolution, of Max Siegel, applicant, on behalf of Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1411-39-BZ—Application, November 16, 1939, under section 21 of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of Alfonzina Giogrande, owner, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

CAL. NO. 100-40-BZ—Application, January 27, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of Celia H. Seelig, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

CAL. NO. 1334-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Austin W. Magee and A. Stanley Miller, applicants, on behalf of Betina Franzese, owner (Paul Travis, lessee), to permit in a business use district the alteration and change of occupancy of an existing building to an auto.

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laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 1316-39-A—52-15 Flushing avenue, northwest side, 113 ft. southwest of 54th street (Block No. 2319, Lot No. 22, Block No. 2320, Lot Nos. 28 and 23 and Block No. 2324, Lot No. 50), Maspeth, Borough of Queens.
- 63-40-A—6 Gansevoort street, south side, 99 ft. west of 4th street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan.
- 276-40-A—324 Avenue "A" and 500 East 20th street, southeast corner (Block No. 977, Lot No. 54), Borough of Manhattan.
- 70-40-A—79 Fifth avenue and 2-8 East 16th street, south east corner (18th floor—penthouse); (Block No. 843, Lot No. 45), Borough of Manhattan.
- 103-40-A—294-296 Bowery, west side, 88 ft. 6 in. north of East Houston street (Block No. 521, Lot Nos. 84 and 85), Borough of Manhattan.
- 108-40-A—772-786 Broadway, east side, entire block from East 9th street to East 10th street, 71-91 East 9th street, 60-74 East 10th street and 60-74 Fourth avenue (Block No. 555, Lot No. 1), Borough of Manhattan.
- 109-40-A—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.
- 273-40-A—166-02 to 166-08 Jamaica avenue and 92-01 to 92-07 166th street southeast corner (Block No. 1169, Lot No. 1), Jamaica, Borough of Queens.
- 271-40-A—2325 West street, east side, 220 ft. south of Avenue "W" (Block No. 7176, Lot No. 67), Borough of Brooklyn.

291-40-A—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

221-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 3 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

288-40-A—45-66 195th street, northwest corner of 46th avenue (Block No. 5536, Lot No. 41), Flushing, Borough of Queens.

284-40-A—90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens.

290-40-A—36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond.

APRIL 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

- CAL. NO. 1310-39-BZ—Application, October 25, 1939, under section 21 of the building zone resolution, of Richard E. Carey, applicant, on behalf of Eva B. Smith, owner (Joseph Brown, lessee), to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.
- CAL. NO. 1483-39-BZ—Application, December 7, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of East River Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.
- CAL. NO. 68-40-BZ—Application, January 19, 1940, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan.
- CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Inc., and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened

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June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, southeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 1492-39-BZ—Application, December 9, 1939, under sections 7h and 21 of the building zone resolution, of Newburgh Savings Bank, applicant and owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405-A (1399), Lot No. 125), Borough of Brooklyn.

CAL. NO. 574-39-BZ—Application, May 5, 1939, under sections 7b and 21 of the building zone resolution, of Ridgewood Savings Bank, applicant and owner (E. K. Demmel, lessee), to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

CAL. NO. 1532-39-BZ-WF—Application, December 22, 1939, under section 7h of the building zone resolution, of Stanley H. Hemley, applicant, on behalf of Kew Gardens Corporation, owner (August Meyers, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and main-

tenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 897-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Nordlinger, Riegelman and Cooper, applicants, on behalf of Adolph Lewisohn & Sons, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan.

CAL. NO. 1479-39-BZ—Application, December 5, 1939, under section 21 of the building zone resolution, of Israel G. Seeger, applicant, on behalf of Luisa Prisco, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483-A, Lot Nos. 53 and 54), Borough of Brooklyn.

CAL. NO. 1529-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn.

CAL. NO. 1552-39-BZ—Application, December 29, 1939, under section 7h of the building zone resolution, of Antonie Sikora, applicant and executrix of Estate of Ludwig Sikora, deceased, as mortgagee in possession, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-15 Crescent street, northeast corner of 33rd avenue (Ridge street); (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens.

CAL. NO. 1025-39-BZ—Application of Frank Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, reopened January 3, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

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CAL. NO. 1516-39-BZ—Application, December 18, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of New York City Society of the Methodist Episcopal Church, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Grand Concourse boulevard and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert G. Zetsche, applicants, on behalf of Sheffield Farms Company, Inc., owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

APRIL 12, 1940, 10 A. M.

Rules

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, other Cellulose Products and Adhesives, for use in places of Public Assembly and Special Occupancy Structures.

APRIL 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

CAL. NO. 1238-39-BZ—Application, October 6, 1939, under section 21 of the building zone resolution, of Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, applicants, on behalf of New York

City Housing Authority (U. S. Housing Project NY 5-3), owner, to permit in a residence use district the maintenance of a garage for three (3) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers; 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

CAL. NO. 1129-27-BZ—Application of Oscar Lowinson, applicant, on behalf of Renweis Holding Corporation, owner, reopened February 21, 1939, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan.

CAL. NO. 292-17-BZ—Application of Van Wart and Ackerman, applicant, on behalf of The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, owners, reopened February 27, 1940, under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1408-39-BZ—Application, November 16, 1939, under sections 7c and 21 of the building zone resolution, of Irving Kirshenblit, applicant, on behalf of Lydia D. Backus, owner (Edward Aibel, lessee), to permit in a business use district the extension of an existing gasoline service station and accessory buildings; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25

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Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940*, at 10 o'clock, in Room 1013, Municipal building, Manhattan, on the following matters:

CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) ave-

nue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 23, 1940, 2 P. M.

Appeal from Administrative Decision.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

MAY 7, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 7, 1940*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MARCH 5, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, February 6, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, February 6, 1940, were approved as printed in Bulletin No. 7, Vol. 25.

BUILDING ZONE CASES.

855-27-BZ.

APPLICANT—Shell Oil Company, Incorporated (lessee), for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new facts December 5, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance and reconstruction of a gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: J. G. L. Molloy, Gilbert Niles, Ramsey and Lewis M. Leisinger.

For Opposition: Mr. & Mrs. Christian Nielsen.

ACTION OF BOARD—Laid over to March 19, 1940, at 10 a.m., for further consideration by the board, and also to hear any further objections.

586-39-BZ.

APPLICANT—Joseph B. Lynch, for Mary L. Moll and Charles London, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street, (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

ACTION OF BOARD—Laid over to March 12, 1940, at 10 a.m., on request of applicant.

1350-39-BZ.

APPLICANT—Benjamin Bernstein, for Eleonora Patane, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue south (Block No. 7763, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Bernstein, Eleonora Patane, Marvin J. Bloch and Judson E. Schnall.

For Opposition: Jacob Goldinger.

ACTION OF BOARD—Laid over to March 26th, 1940, at 10 a.m., for further inspection and decision by the Board without further argument.

1396-39-BZ.

APPLICANT—Charles M. Spindler, for Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a building to be used as a Core Oven in conjunction with an existing iron foundry on an adjacent plot.

PREMISES AFFECTED—253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus, Thomas E. Halloran and Harold E. Brown.

For Opposition: Anthony J. Di Giovanna, William J. Musso and others.

ACTION OF BOARD—Laid over to March 26, 1940, at 10 a.m., for additional information and for decision by the Board without further argument.

735-39-BZ.

APPLICANT—Horace Ginsbern, for 179 Seventh Avenue Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—160 West 21st street, south side, 85 ft. east of Seventh avenue, and 179-181 Seventh avenue, east side, 46 ft. south of West 21st street (Block No. 796, Lot Nos. 72 and 75), Borough of Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

1446-39-BZ.

APPLICANT—Samuels and Samuels, for Suburban Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—34-59 to 34-71 Francis Lewis boulevard (Cross Island boulevard) and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: Michael J. De Santi, Lillian B. Rondat, Julia Byrne, Mary C. McKeon and John F. Finn, Jr.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative:	0
Negative: Chairman Murdock, Commissioners Savage and Blum	3
Absent: Assistant Chief Walsh	1

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THE RESOLUTION—

(1446-39-BZ)

WHEREAS, Samuels and Samuels, for Suburban Holding Corporation, owner, filed November 27, 1939, an application under section 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 34-59 to 34-71 Francis Lewis boulevard, and 34-56 to 34-70 Jordan street, northeast corner (Block No. 6077, Lot No. 43) Bayside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 5, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Francis Lewis (Cross Island) boulevard, Crocheron avenue and 35th avenue are in business use districts; Jordan street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. 8532-39, dated November 1, 1939, and as amended on February 14, 1940, reads:

"1—The erection of a gasoline service station and accessory building within a business and residence district is contrary to Article 2, section 3 and 4 of the zone resolution."

and
WHEREAS, the premises consist of a plot of an irregular shape, having a frontage of 168 ft. on Francis Lewis boulevard, 167 ft. on Jordan street and a distance of 120 ft. along the north lot line; a small irregular shaped area of the plot at the northeast is in a residence use district, the remainder is in a business use district; it is proposed to erect upon the plot a one-story building, approximately 79 ft. by 58 ft. irregular in area, to be used as lubritorium, auto laundry and office and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution, and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it is hereby *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 1:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MARCH 5, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum.

BUILDING ZONE CASES

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and set for hearing April 23, 1940, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh..... 1

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and set for hearing April 23, 1940, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh..... 1

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and set for hearing April 23, 1940, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh..... 1

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and set for hearing April 23, 1940, at 10 A.M.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh.....	1

119-37-BZ.

APPLICANT—Arthur W. Renander, for William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al., owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and set for hearing April 23, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh.....	1

216-29-BZ.

APPLICANT—Abram Shlefstein, for Helen Eckerman, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southwest corner of Nassau boulevard and Little Neck road (Block No. 4108, Lot No. 100), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Abram Shlefstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh.....	1

THE RESOLUTION—

(216-29-BZ)

WHEREAS, this application, affecting premises southwest corner of Nassau boulevard and Little Neck road (Block No. 4108, Lot No. 100), Little Neck, Borough of Queens, was granted by the Board for a temporary period of two (2) years under section 7, subdivision f, May 28, 1929, permit extended April 26, 1932; March 27, 1934; April 21, 1936, and April 12, 1938, and owner requested a further extension of the permit.

Resolved, that the resolution adopted by the Board on May 28, 1929, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this part of the resolution shall read:

"Granted for a temporary period of two years, under section 7f, from the date of this *amended resolution*,

on condition that the resolution as adopted on May 28, 1929, shall be complied with in all other respects."

122-31-BZ.

APPLICANT—Nathan Slewett, for Andrew N. Miller, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—141-09 Lincoln avenue, northwest corner of 142nd street (Block No. 1122, Lot No. 134), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Nathan Slewett.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(122-31-BZ)

WHEREAS, this application, affecting premises 141-09 Lincoln avenue, northwest corner of 142nd street (Block No. 1122, Lot No. 134), South Jamaica, Borough of Queens, was granted by the Board October 8, 1931, for a temporary period of two years, on certain conditions; conditions modified March 29, 1932, period extended September 26, 1933, and March 31, 1936, and owner requests a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on March 29, 1932, only so far as it has reference to permission under section 7f, so that as amended this portion of the resolution shall read:

"Granted for a temporary period of two (2) years from the date of this *amended resolution*; that in all other respects the resolution as adopted March 29, 1932, shall be complied with."

532-32-BZ.

APPLICANT—Sidney L. Strauss, for Frank Fischer, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under sections 7a and 21 of the building zone resolution, permitting in a business use district the change in area and construction of a gasoline service station.

PREMISES AFFECTED—31-04 Astoria avenue and 25-25 31st street, southeast corner (Block No. 620, Lot Nos. 24 and 25), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(532-32-BZ)

WHEREAS, this application, affecting premises southeast corner of Astoria avenue and 31st street (Block No. 620, Lot Nos. 24 and 25), Astoria, Borough of Queens, was granted by the Board at its meeting March 14, 1933, on cer-

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tain conditions, and applicant requested a modification of the time limit, which was granted by the Board June 27, 1933, resolution amended December 12, 1933; May 3, 1938, and October 10, 1939, and applicant now requests a further amendment.

Resolved, that the resolution adopted by the Board March 14, 1933, as amended December 12, 1933, and May 3, 1938, be and it hereby is amended to read as follows: "*Granted*, incorporating into the present gasoline station area a triangular plot front for a distance of 108 ft. 1½ in. on 31st street and reducing the size of the plot, because of the portion taken for the widening of Astoria avenue, as indicated on plans marked 'Received November 17, 1933,' so that as reduced the plot will have a frontage on 31st street of 73.89 ft., on Astoria avenue, 52.27 ft., and on the rear lot line, 94.90 ft., on condition that all existing buildings on the plot shall be demolished and new buildings constructed against the easterly and southerly lot lines, in general conformity with the plans marked 'Received November 17, 1933'; that such accessory buildings shall be not over one story in height and shall include an office, greasing sections, laundry section and section for sales of accessories; that all these buildings shall be constructed as to their sides facing the public highways with face brick or architectural terra cotta, properly coped with stone or glazed terra cotta; that the fronts of the greasing sections shall be left open; that all skylights shall be glazed with thin glass, with screens over and under, and at least 5 ft. from any lot line; that these buildings shall be constructed of fireproof and incombustible materials, except that the roofs may be constructed of wood timbers and wood boarding, provided the ceilings underneath same are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roofs surfaced with incombustible material; that a wall not less than 7 ft. 6 in. in height shall be erected on such portions of the interior lot lines as are not taken up with walls of accessory buildings, constructed of face brick or terra cotta to match the accessory buildings and similarly coped; that these walls may rack back, starting from the new line of Astoria avenue, with a wall not less than 4 ft. in height and graduated at the rate of one foot in four to the height of 7 ft. 6 in.; that the entire area not covered by accessory buildings shall be cement paved; that a concrete curb not less than 12 inches in width and 6 inches in height with rounded top shall be constructed and maintained for a distance of not less than 5 ft. from the easterly lot line along Astoria avenue and the westerly lot line on 31st street and that a block of concrete not less than 12 inches in height and segmentally formed shall be constructed at the intersection of 31st avenue and Astoria avenue, extending either way from the intersection for a distance of 5 ft.; that there shall be no excavation under any of the accessory buildings except the pits for the greasing stands; that no open flame shall be permitted on the premises; that no automobile repair work shall be done on the premises except such as may be readily done with the use of hand tools; that signs advertising non-conforming uses shall be restricted to the globes of the gasoline pumps and to permanent flat wall signs attached to the facades of the accessory buildings and to the interior side of the lot line walls; that all gasoline pumps shall be set back at least 10 ft. from the street line and not nearer than 10 ft. to any portion of the accessory building; that no portable gasoline tanks shall be used on or from the premises; that lights for general illumination shall be on pipe standards with metal reflectors so arranged as to shine downwardly; that the boiler for heating purposes shall be located in the southernmost section and that the floor of same may be depressed not over 4 ft., sufficient to permit the return lines from the radiators; that the heating shall be of a method not requiring a forced draught; that plans shall be submitted to the Board for approval by the chairman of the Board in behalf of the Board before submission to the commissioner of buildings; that revised plans marked 'Received May 3, 1938,' may be approved as provided in the

resolution as amended December 12, 1933, if in general compliance with the conditions therein set forth, and permitting the reduction in number of pumps and permitting closure doors on the lubricating section of accessory building, provided exhaust fan with ventilating ducts through the roof are provided; also permitting mezzanine section over the office portion of the accessory building, provided same is used for storage of tires only and similar non-combustible material, and that all permits shall be obtained and all work completed within one year from the date of this amended resolution.

Resolved further, that until such time as the owners of abutting properties are required to remove encroachments on Astoria avenue and 31st street back to actual building line, the requirement of the resolution that pumps shall be set back 10 ft. from the established street line may be waived provided pumps are not erected nearer than 5 ft. 6 in. to said street line on Astoria avenue and 3 ft. 6 in. to street line on 31st street.

309-35-BZ.

APPLICANT—Frank Zuckerbrot, for Hillsdale Parking Corporation, lessee, for Nathan Straus, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use district the use of a plot of ground as a parking space for the storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—Northwest corner of Wilson avenue and East 214th street (Block No. 4709, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank Zuckerbrot and Mr. Mandalowitz.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(309-35-BZ)

WHEREAS, this application, affecting premises northwest corner of Wilson avenue and East 214th street (Block No. 4709, Lot No. 1), Borough of The Bronx, was granted by the Board January 7, 1936, on certain conditions, resolution amended February 8, 1938, and applicant requested a further amendment of the resolution,

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 7, 1936, only so far as it has reference to the term of this permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 21 thereof, for a period of six months from the date of this amended resolution, permitting the premises under appeal to be used for outdoor parking and over-night storage for more than five (5) motor vehicles, on condition that the entire plot shall be levelled and covered with steam cinders; that there shall be constructed on the interior lot line to the west between East 215th and East 214th streets a tight board fence not less than 6 ft. in height; that elsewhere on the street lines of East 215th street, Wilson avenue and East 214th street there shall be erected substantial picket fences not less than 3 ft. in height, except for the necessary openings to this plot, which openings shall be restricted to Wilson avenue only, and not exceeding 10 ft. in width each; that these fences shall

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be kept in good repair and painted at all times; that no advertising signs of any nature shall be displayed on the premises; that there may be erected a small building for the attendant, and that there shall be at all times, both night and day, an attendant maintained on the property; that illumination shall be by means of pipe standards with electric lighting with metallic reflectors arranged to reflect downwardly so as to provide the necessary illumination without being objectionable at night; that this parking lot shall be for the exclusive parking of private, non-commercial vehicles, excluding busses and trucks; that there shall be no motor vehicle repairing nor sales of supplies of any character on the premises or adjacent thereto within the residential area; that there shall be no storage of gasoline other than that in the tanks of the cars; that such portable fire-extinguishing apparatus shall be installed and maintained on the premises as may be required by the administrative official; that adequate driveways between lines of cars shall be maintained at all times."

1-37-BZ.

APPLICANT—Randforce Amusement Corporation, for Ponrand Amusement Company, Incorporated, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—67-02 62nd street, west side, 125.11 ft. north of 68th avenue (Block No. 3620, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Leepson and Charles R. Stainton.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(1-37-BZ)

WHEREAS, Oscar Goldschlag, for Ponrand Amusement Company, Incorporated, owner, filed January 4, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 67-02 62nd street, west side, 125.11 ft. north of 68th avenue (Block No. 3620, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, this application was granted by the Board March 4, 1938, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on March 4, 1938, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*Granted*, under section 7h, for a term of two (2) years from the date of this *amended resolution*."

336-37-BZ.

APPLICANT—Francis L. Shea, for American Newspapers, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a retail

use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—322-328 West 57th street, south side, 275 ft. west of Eighth avenue (Block No. 1047, Lot Nos. 44 and 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis L. Shea.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(336-37-BZ)

WHEREAS, Francis L. Shea, for American Newspapers, Incorporated, owner, filed July 1, 1937, an application under the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 322-328 West 57th street, south side, 275 ft. west of Eighth avenue (Block No. 1047, Lot Nos. 44 and 46), Borough of Manhattan; and

WHEREAS, this application was granted by the Board March 1, 1938, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 1, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h thereof, to permit the premises to be used for the parking and storage of automobiles for a period of two (2) years from the date of this *amended resolution*, on condition that the plot shall be levelled substantially to the grade of West 57th street; that there shall be erected on the interior lot lines, where walls of adjoining buildings do not occur, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected on the street building line except for an entrance not exceeding 15 ft. in width, with a curb cut opposite not exceeding the same width; that during the term of this permit the plot shall be used for no other purpose than that herein permitted; that the plot shall be covered with steam cinders or other suitable material, properly bound to prevent dusting, and graded so as to provide surface drainage; that no building shall be erected on the premises other than a small office near the entrance as a shelter for the attendant; that no sign shall be erected other than a sign at the entrance advertising the parking and storage use; that such sign shall not exceed 5 sq. ft. in area; that such portable fire-fighting appliances shall be maintained on the premises as the commissioner shall direct; that lights for illumination shall be so arranged with metallic reflectors as to reflect toward the center of the premises and away from adjoining occupancies; that there shall be an open corridor not less than 15 ft. in width from rear to front maintained at all times; that there shall be a space of at least 15 in. between automobiles when parked; that all permits required shall be obtained and all work completed within three months from the date of this action."

348-37-BZ.

APPLICANT—John Tuvo, for Irving W. Voorhees, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the

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commissioner of buildings), under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—77-03 to 77-09 Roosevelt avenue, north side, 100 ft. west of 78th street (Block No. 1288, Lot No. 39A), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: John Tuvo.

For Opposition: Mary Nally.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(348-37-BZ)

WHEREAS, Adam Schliessman (lessee), for Irving Wilson Voorhees, owner, filed July 6, 1937, an application under the building zone resolution, to permit for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles; premises 77-03 to 77-09 Roosevelt avenue, north side, 100 ft. west of 78th street (Block No. 1288, Lot No. 39A), Jackson Heights, Borough of Queens; and

WHEREAS, this application was granted by the Board March 11, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 11, 1938, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted for a temporary period of one (1) year from the date of this amended resolution."

594-37-BZ.

APPLICANT—William J. O'Neill, for Hans Angerman, lessee (Estate of James J. Burnes, owner).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—39-34 to 39-38 60th street, west side, 307 ft. north of Roosevelt avenue, and 39-27 to 39-31 59th street (Block No. 1230, Lot No. 35), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: William J. O'Neill and Hans Angerman.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(594-37-BZ)

WHEREAS, Lama and Proskauer, for Estate of James J. Burnes, owner, filed December 16, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 39-34 to 39-38 60th street, west side, 307 ft. north of Roosevelt avenue, and 39-27 to 39-31

59th street (Block No. 1230, Lot No. 35), Woodside, Borough of Queens; and

WHEREAS, this application was granted by the Board March 25, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 25, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7h, to permit the plot under appeal to be used for a temporary period of two (2) years from the date of this amended resolution for parking and storage of more than five (5) motor vehicles, on condition that only cars of the pleasure-car type shall be so parked or stored; that there shall be erected along the interior lot lines to the south and along the lines of 60th street and 59th street substantial fences with an entrance to parking lot only from 60th street; that any opening to 59th street shall be permanently locked and openable only for emergency; that the portion of the plot toward the south that is not now filled to grade shall be fenced off and not used as part of this parking lot; that during the term of this variance, this lot shall not be used for any other use than herein permitted, and that no building shall be erected thereon except a small, one-story building, near the 60th street entrance, for an office and as shelter for attendant; that no sign shall be displayed on the premises except a sign at the entrance, advertising the storage and parking use; that no sign shall be erected on any other premises advertising the parking on this lot; that any lights for illumination shall be equipped with metal reflectors and so placed so as to reflect toward the railroad and away from adjoining occupancy; that the plot shall be generally graded to the level of 60th street and covered with steam cinders, properly bound and rolled to prevent dusting, and provide proper drainage; that such portable fire-fighting appliances shall be installed as the commissioner shall direct."

1203-39-BZ.

APPLICANT—Edwin W. Kleinert and A. Stanley Miller, for Security Construction Company, owner.

SUBJECT—Application for approval of plans—re Application (decision of the borough superintendent of buildings), under section 7c of the building zone resolution, permitting the erection of a business building (stores), extending from a business use district into a residence use district.

PREMISES AFFECTED—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane, and 70-01 57th road (Block No. 2796, part of Lot No. 13, and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: A. Stanley Miller and M. Weiss.

ACTION OF BOARD—Plans approved; application reopened and resolution amended.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE VOTE TO REOPEN AND AMEND RESOLUTION —

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

MINUTES

THE RESOLUTION—

(1203-39-BZ)

WHEREAS, Edwin W. Kleinert and A. Stanley Miller, for Security Construction Company, owner, filed September 29, 1939, an application under the building zone resolution, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane, and 70-01 57th road (Block No. 2797, Lot No. 1, and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens; and

WHEREAS, this application was granted by the Board December 12, 1939, on certain conditions, one of which required submission of plans for approval by the Board; and

WHEREAS, the applicant submitted such plans for approval; and

WHEREAS, the applicant subsequently requested a reopening and amendment of the resolution; and

WHEREAS, this application was reopened by vote of the Board.

Resolved, that the Board of Standards and Appeals does hereby *approve* the plans submitted as being in compliance with resolution of the Board adopted on December 12, 1939, and does hereby *amend* the resolution adopted by the Board on such date, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision c thereof, to permit the extension of the proposed building, as indicated on plans filed herein, into the residence use area and to permit use of rear yard in connection therewith, *on condition* that the building shall extend into the residence use area for a distance of not more than 25 ft.; that the building within the residence use area shall not exceed one story in height; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto; that there shall be no windows in the side walls opening upon adjoining properties; that no signs shall be erected on any part of the building or premises within the residence use area; that the balance of the plot shall be left open and unbuilt upon and shall be enclosed with a substantial fence with not more than one opening therein to 70th street; that such opening may be not over 10 ft. in width; that the open yard shall be properly surfaced and shall be landscaped substantially as indicated on sketch marked 'Received December 9, 1939'; that this yard shall be used solely for delivery of packaged goods for sale in the proposed building and at no time for parking or storage of motor vehicles or for delivery of goods sold at retail; that no shipping platform shall be constructed; that as a consideration for the granting of this variation, the owner agrees that no automobiles shall be permitted to traverse 57th road (Link place), to enter the rear yard; that this owner will grade and lay temporarily pavement in 70th street from 57th road to 57th drive; that he will deed to the City of New York such land as he now owns as may be necessary for the opening of 70th street, as indicated on plan prepared by the Topographical Bureau of the Borough of Queens; that he will deed or lease without charge to the City of New York the balance of Lot No. 13 for use as a park and playground, provided the City accepts such offer within one year; that in all other respects all laws, rules and regulations shall be complied with as varied by the Board under Calendar No. 1046 of 1939-A and the resolution adopted thereunder on November 14, 1939, shall be complied with in all respects; that after approval of plans by the Board as complying with this resolution, all permits shall be obtained and all work completed within one year from the adoption of this resolution; that nothing herein contained shall prevent the Building Department act-

ing on the approval of plans for the building, provided no certificate of occupancy for the building is issued, until after the requirements are complied with, as to the deeding of street and space to the Park Department."

APPEALS FROM ADMINISTRATIVE DECISIONS.

208-40-A.

APPLICANT—Mark J. Joseph, for Cortlandt and Dey Streets Corporation, owner (Cortlandt Cafeteria, Incorporated, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Mark J. Joseph and Edwin Sternberg.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to March 12, 1940, at 2 P.M., to obtain decision from Fire Department.

212-40-A.

APPLICANT—Stanley H. Klein, for John Mills, owner (Lime Cola Bottling Company of New York, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Stanley H. Klein.

ACTION OF BOARD—Laid over to March 12, 1940, at 2 P.M., on request of appellant.

66-40-A.

APPLICANT—Michael Marlo, for Peter Molinari, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-43 Clermont avenue, east side, 87 ft. 1 in. north of Park avenue (Block No. 2033, Lot Nos. 6 and 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Marlo.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners	
Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

112-40-A.

APPLICANT—Rosaline Sumner and Celia K. Ziman (lessees), for Prudential Insurance Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—111-38 76th drive, east side, 225 ft. south of Queens boulevard (Block No. 3342, Lot No. 19), Forest Hills, Borough of Queens.

APPEARANCES—None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners	
Savage and Blum	3

MINUTES

Negative 0
Absent: Assistant Chief Walsh 1

71-40-A.

APPLICANT—James Anderson, Jr., for B. Brothers Realty Corporation, owner (Bloomingdale Brothers, Incorporated, lessee).

SUBJECT—Appeal from a decision—re order of the fire commissioner.

PREMISES AFFECTED—135-163 East 59th street, 743-765 Lexington avenue, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: James Anderson, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum 3
Negative 0
Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(71-40-A)

WHEREAS, James Anderson, Jr., for B. Brothers Realty Corporation, owner (Bloomingdale Brothers, Incorporated, lessee), filed on January 19, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises 135-163 East 59th street, 140-176 East 60th street, 743-765 Lexington avenue and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner (Order No. 19346-LC), dated October 19, 1939, reads:

“Before a permit may be issued for your refrigerating system, the following must be done:

1. Discontinue the direct method of refrigeration on third floor (Fur Department).

REASON:—Refrigeration room opens on elevator shaft and escalators.”

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated December 21, 1939; and

WHEREAS, the building is nine stories (127 ft.) in height, 200 ft. 10 in. by 420 ft. in area; of fireproof construction; equipped with a standpipe and a sprinkler system; located in a business use district; occupied throughout as a department store; and

WHEREAS, the applicant contends that the installation consists of a small “Class C” Freon-12 air conditioning, self-contained unit system, containing 13 pounds of Freon-12 refrigerant for cooling the fur department; that this installation is located in a corner of the fur department alongside a large window approximately 4 ft. 6 in. by 9 ft. high; that the third floor contains a total of 122 windows of approximately the same size; that this floor is fully equipped with a sprinkler system, and the total space available equals 1,092,000 cubic feet; that the elevators are equipped with solid metal doors, and all stairways are closed off, or are isolated with vestibules, and the escalators are open to floor above and below; that the escalator openings, the chief items of objection, are far removed from the location of the cooling unit.

Resolved, that the order of the fire commissioner, No. 19346-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigerant shall be as proposed and not to exceed the amount as stated, and that in all other respects shall be maintained to the satisfaction of the fire commissioner; that this equipment shall be under the supervision of an engineer on the premises, duly licensed for such work by the fire commissioner; that no open flame shall be maintained on the floor within 100 ft. of the installation; that the sprinkler system shall be

maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including variation of the law as granted by the Board under Cal. No. 121-39-A and Cal. No. 908-39-A.

217-40-A.

APPLICANT—Westinghouse Electric Elevator Company, for Fifth Avenue Apartments, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—930-933 Fifth avenue and 1-3 East 74th street, northeast corner (Block No. 1389, Lot Nos. 1, 2, 4 and 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles G. Weiser.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum 3
Negative 0
Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(217-40-A)

WHEREAS, Westinghouse Electric Elevator Company, for Fifth Avenue Apartments, Incorporated, owner, filed February 29, 1940, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 930-933 Fifth avenue and 1-3 East 74th street, northeast corner (Block No. 1389, Lot Nos. 1, 2, 4 and 5), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on Elevator Applic. No. 10-40, dated February 21, 1940, reads:

“4. Due to arrangement of cars we cannot install side emergency exits between cars No. 1 and No. 2 and cars No. 3 and No. 4.”

and

WHEREAS, the building will be eighteen stories and penthouse (202 ft. 3 in.) in height, 102 ft. 2 in. by 140 ft. in area; of Class 1 construction; equipped with a standpipe system; located in a residence use B area district; occupied throughout as a Class A multiple dwelling with a doctor's office on the first floor; and

WHEREAS, the applicant contends that the elevators are arranged so that the passenger car opens upon one corridor and the service car upon another, so as to separate the two classes of traffic; that the wall between the elevators serves no useful purpose; that it in fact blocks a means of egress from the top of one car to the top of the adjacent car which might be useful; that the location of the counterweights, which are now between the cars, cannot be changed to permit the use of emergency exits in the side and rear panels without increasing the width of the service elevator hoistways or decreasing the width of the car, which would be a hardship; that if the wall is omitted, the hoistway entrances for all cars will be equipped with emergency key devices and exit doors as required by Code for cars in separate shaft; that the possibility of passing from the top of one car to the top of another will be an additional means of egress.

Resolved, that the decision of the acting borough superintendent of buildings, on Elevator Applic. No. 10-40, Objection No. 4, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects the installation shall comply with all laws, rules and regulations for same, and as applied to a car in a single shaft.

220-40-A.

APPLICANT—Anthony J. De Pace, for Sisters of the Sacred Heart, owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1651 Zerega avenue, south side, 72.57 ft. east of Maclay avenue (Block No. 3991, Lot No. 78), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony J. De Pace and B. Hoffman.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(220-40-A)

WHEREAS, Anthony J. De Pace, for the Sisters of the Sacred Heart, owner, filed on February 29, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 1651 Zerega avenue, south side, 72.57 ft. east of Maclay avenue (Block No. 3991, Lot No. 78), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 66-40, dated February 8, 1940, reads:

“4. Proposed occupancy of third story as a school is contrary to Sec. 4.2.1, Building Code (C26.254.0 Administrative Code).”

and

WHEREAS, the building is three stories (33 ft.) in height, 66 ft. 1 in. by 46 ft. 8 in. in area; of Class 3 construction; on a lot 81.81 ft. by 102.42 ft. in area; located in a business use C area district; erected in 1934; occupied: basement, boilerroom and playroom, 20 persons; 1st floor, chapel, two classrooms, parlor, kitchen, dining room, office and reception room, 85 persons; 2nd floor, five bedrooms, doctor's room, infirmary and three classrooms, 55 persons; attic, storage; proposed to be occupied: basement, same; 1st floor, same, 133 persons; 2nd floor, same, 55 persons; 3rd floor, three classrooms, sitting room and library, 48 persons; and

WHEREAS, it is proposed to add a new third story to the building; and

WHEREAS, the applicant contends the present stairhall is enclosed in partitions of wire lath and ¾-inch portland cement plaster on 2 in. x 4 in. wood studs; that a steel stair to new third story will be provided in addition to two steel fire escapes at rear of building; that fire escapes will lead from third story rear to first story, thence to ground of the rear yard via a counterbalanced stair; that on the first floor there will be 133 persons when the chapel is being used, and that no other persons will be on second and third floors; that there are three exits on first floor; that all classrooms and toilet rooms are provided with windows opening to outer air.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 66-40, Objection No. 4, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the primary means of exit shall be constructed as shown, and enclosed throughout with fire-retarded partitions consisting of studs and wire lath and ¾-inch cement plaster on both sides, with all openings protected with approved fireproof self-closing doors; that in addition exterior fire escapes shall be constructed from the third story level to the yard, such fire escapes to be not less than 2 ft. in width; that at grade they may be screened in, provided the exit door of such enclosure is equipped with panic bolts and so arranged as to be readily openable from the fire escape side at all times; that the exit from these fire escapes at the yard level shall be maintained at all times through to Zerega avenue; that the extension roof at the second story shall be of fireproof construction; that any windows on the side walls shall be fireproof and self-closing if adjoining buildings are nearer than 15 ft. therefrom; that

the cellar ceiling shall be fire-retarded throughout with wire lath and ¾-inch cement plaster; that the heater room shall be separated from the balance of the cellar by fireproof wall as shown, with ceiling protected with wire lath and ¾-inch cement plaster, with any door therein fireproof and self-closing; that on the third floor all doors to classrooms shall remain openable at all times while in use to permit ready exit to stair and fire escapes; that the windows on the second and first floors on the course of the fire escape shall be glazed with wire plate glass; that a skylight or scuttle shall be installed in the roof within the stair enclosure; that the occupancy shall not exceed the occupancy as proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that this variance shall apply only so long as the building is occupied as proposed and not increased in height or area.

234-40-A.

APPLICANT—B. H. Winston, for Thomas A. Weatherly, owner (Roamans, Incorporated, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—20-22 West 39th street, south side, 303 ft. west of Fifth avenue (Block No. 840, Lot Nos. 60 and 61), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin H. Winston.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Negative 0

Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(234-40-A)

WHEREAS, B. H. Winston, for Thomas A. Weatherly, owner (Roamans, Incorporated, lessee), filed on March 1, 1940, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 20-22 West 39th street, south side, 303 ft. west of Fifth avenue (Block No. 840, Lot Nos. 60 and 61), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. 150-1939, dated January 18, 1939, reads:

“Open stairway to cellar from first floor contrary to Section 6.4.1.9 Subdiv. 2, Building Code.”

and

WHEREAS, the proposed building will be two stories, basement and mezzanine in height, 44 ft. by 98 ft. 9 in. in area at first story and 47 ft. by 88 ft. 9 in. in area above, and to be occupied: basement, sales and showroom, 75 persons; first story, store, sales and showroom, 100 persons; mezzanine, offices and tailor shop, 40 persons; second story, sales and showroom, 60 persons; and

WHEREAS, the applicant contends that the 6 ft. ornamental stair from basement to first floor is an auxiliary stair in addition to the regular exits that have been provided; that this ornamental stair does not run continuously above the first floor and is not directly under the mezzanine well opening above the first floor; that the net floor area of the mezzanine is not over 2,500 sq. ft.; that this section of law actually referred to was meant for a fireproof building; that the Code allows an open ornamental stair as an auxiliary stair to the regular exits; that the building is to be occupied as a specialty shop by a single tenant; that not more than two floors are connected separately by the open well to mezzanine or the open stair to basement; that no selling to customers is to be done on the mezzanine floor; that there is no boiler or boiler-room in the basement from which a possible fire may occur, steam from street is to be used; that the building is to be fully sprinklered.

MINUTES

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 150-39, Objection No. 24, be and it hereby is *modified*, and that the appeal be and it hereby is granted on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that an approved sprinkler system shall be installed throughout the building covering all floor areas; that there shall be constructed around the well hole at the open stair leading from the cellar to the first floor a baffle not less than 12 in. in depth extending downward from the main level of the cellar ceiling; that such baffle shall be constructed either with structural steel beams fire-proofed or by means of baffle partition, and not over 1 ft. away from the well hole; that in addition there shall be additional sprinkler heads installed within 2 ft. of such baffle plate, such heads to be not over 5 ft. center to center.

25-39-A.

APPLICANT—Edward Hinman, Jr., for Beard's Erie Basin, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—602-704 Columbia street, west side, 1,200 ft. south of Halleck street, and 46-56 Halleck street (Erie Basin Breakwater, between Erie Basin and State Barge Canal); (Block No. 613, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Hinman, Jr.

For Administration: Thomas F. Larkin, Fire Department.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(25-39-A)

WHEREAS, Edward Hinman, Jr., for Beard's Erie Basin, Incorporated, owner, filed January 10, 1939, an appeal from an order of the fire commissioner, affecting premises 602-704 Columbia street, west side, 1,200 ft. south of Halleck street, and 46-56 Halleck street (Block No. 613, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 1976-LF, issued by the fire commissioner December 14, 1938, reads:

"1. Provide a yard hydrant system for the above premises as per Art. 17, Administrative Code, N. Y. C." and

WHEREAS, the premises have a frontage of 1,200 ft. and a depth of 300 ft. at the northerly end and 200 ft. at the southerly end; located in an unrestricted use district and occupied as a lumber terminal; and

WHEREAS, the applicant contends that the lumber piled in the area is green fir in transit by water from the west coast and does not remain long enough to dry out (60% is trucked away within 10 days); that the lumber is piled on the ground in the open in solid blocks with no open spaces between pieces to give draft; that the nearest building on adjoining premises is 210 ft. distant; that a continuous watchman's service is provided with watchman's house and four tour-stations located as shown on plans and the premises are regularly patrolled; that fire bucket tanks with pails and low-freeze water are provided at six points in the area as shown on plans; the property is flanked by six low-pressure city hydrants and three high-pressure city hydrants as shown on plan; that the property is accessible to fire boats through two slips as shown on plan; that it is proposed to install six additional fire bucket tanks as shown on plan by the mark "O"; and

WHEREAS, this appeal was granted by the Board January 24, 1939, on certain conditions, and owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 24, 1939, so that as amended it shall read:

"*Resolved*, that the order of the fire commissioner, No. 1976-LF, and Order No. 4076-LF be and it hereby is *modified*, and that the appeal be and it hereby is *granted* for a term of one year *from the date of this amended resolution*, permitting the storage of lumber, as indicated on plans filed with this appeal, *on condition* that the fire-fighting equipment, as stated, shall be maintained and that the premises shall be patrolled and under the supervision of a watchman at all times, night and day; that the street hydrants adjacent to the premises, as stated, shall be maintained; that the driveways shown between lumber piles shall remain open for a width of 20 ft. with direct exit from the surrounding streets, so as to be readily accessible to the fire department equipment, if required; that the lumber shall at no time be piled beyond an average height of 16 ft. and that such portable fire-fighting appliances shall be installed and maintained as the fire commissioner shall direct."

935-39-A.

APPLICANT—Frank S. Parker, for Wamkill Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank S. Parker.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(935-39-A)

WHEREAS, Frank S. Parker, for Wamkill Realty Corporation, owner, filed on July 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 249-39, dated June 29, 1939, reads:

"25. Provide lawful ventilation for 1st floor trucking space, toilet and shipping office, for mezzanine shower room and 2nd floor toilet and for 2nd floor offices along the north wall. Sec. C26-258.0 to Sec. C26-267.0 Administrative Code. Lot line windows are not lawful for required ventilation."

and

WHEREAS, the building is fireproof, eight stories (106 ft.) in height, 289.27 ft. by 230 ft. in area; located in an unrestricted use district; erected in 1929; equipped with sprinkler and standpipe systems; occupied: cellar, storage, boiler room; 1st floor, shipping, storage, 75 persons; 2nd floor, offices, 75 persons; 3rd and 4th floors, factory and warehouse, 75 persons per floor; upper floors, vacant; proposed to be occupied as follows: cellar, storage, boiler room, 10 persons; 1st floor, shipping, storage, 25 persons; 2nd floor offices, 300 persons; 3rd, 4th, 5th, 6th, 7th and 8th floors, factory and warehouse, 10 persons per floor. Certificate of Occupancy No. 143-30 issued February 11, 1930, was for a

MINUTES

five story building, warehouse, factory and offices, all upper floors, 75 persons per floor; and

WHEREAS, the applicant contends that the alteration in question consists of adding four (4) stories to the existing building and a new five story extension on the north; that it is proposed to omit the mechanical ventilation on the first floor trucking space, toilet and shipping offices, for mezzanine shower room, for second floor toilets and second floor offices along north and east exposures; that these spaces are adequately ventilated by windows along the New York Central right of way on the north and the New York, Westchester and Boston right of way on the east; that it is requested that the windows on the railroads right of way be accepted, in lieu of ventilation required by the code; and

WHEREAS, this appeal was granted by the Board July 18, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 18, 1939, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 249-39, Objection 25, and on Alt. Applic. No. 787-39, Objection 14, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting construction of windows to the north and east facing the right-of-ways of the New York Central and the New York and Westchester Railroads, as legal windows and complying with all the requirements therefor as long as such right-of-ways are continued, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applying thereto."

1021-39-A.

APPLICANT—Edward Necarsulmer, for Kayruth Holding Corporation, owner (Alexander's Department Stores, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street, and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: William Schoen.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(1021-39-A)

WHEREAS, Edward Necarsulmer, for Kayruth Holding Corporation, owner (Alexander's Department Stores, Incorporated, lessee), filed on August 3, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street, and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 308-37, dated July 19, 1939, reads:

"1. Commercial buildings of Class 3 construction may not exceed 50 feet in height. C26-254.0 Adm. Code."

and

WHEREAS, the building is one, two, four and five stories in height, 100 ft. by 186 ft. in area; of Class 3 construction;

equipped with a standpipe and sprinkler system; located in business and unrestricted use districts and occupied: cellar, store, storage and boiler room, 153 persons; 1st floor, store, 240 persons; 2nd floor, store, 125 persons; 3rd floor, office and stockroom, 50 persons; 4th and 5th floors, storage, no persons; and

WHEREAS, it is proposed to alter the building so as to change it from a five-story building to a four-story building by rearranging the story heights and to occupy the building: cellar, store, storage and boiler room, 153 persons; 1st floor, store, 400 persons; 2nd floor, store, 300 persons; 3rd floor, store and stock, 250 persons; 4th floor, offices, 50 persons; and

WHEREAS, the applicant contends that the five-story portion of the building, which is the only portion exceeding 50 ft. in height, is only 50 ft. by 87 ft. in area, or about 23% of the entire plot; that the balance of the building is within the tabular height limit; that the alteration proposed consists of levelling the second and third floors with the floors of the portion of the building directly to the rear; the present top floor and roof level will not be disturbed; and

WHEREAS, this appeal was granted by the Board October 3, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on October 3, 1939, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 308-37, Objection No. 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted* so long as the building shall not be increased in height and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and as to Objection No. 13, that the use of fibre board may be permitted on such portions of the building that are two stories in height, as required under the rules of the Board, *on condition* that on such portions of the building as are over two stories in height such insulating board shall be installed only over plaster board or similar material not less than $\frac{3}{8}$ in. in thickness."

VARIATION OF THE LABOR LAW.

238-40-S.

APPLICANT—S. J. Vickers, for Board of Transportation, City of New York, New York Rapid Transit Corporation, owner.

SUBJECT—Variation of the labor law, as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2493 Fulton street, north side, 254.5 ft. west of Broadway (Block No. 1547, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. J. Vickers and F. T. Fellner.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(238-40-S)

WHEREAS, S. J. Vickers, for the Board of Transportation, City of New York, New York Rapid Transit Corporation, owner, filed on March 2, 1940, an application with the Board of Standards and Appeals for a variation from the requirements of the labor law, as cited in a decision of the borough superintendent of buildings, affecting premises 2493 Fulton street, north side, 254.5 ft. west of Broadway (Block No. 1547, Lot No. 25), Borough of Brooklyn; and

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WHEREAS, the decision of the borough superintendent, on N.B. 158-1940, dated February 1, 1940, reads:

"2. Shop on 1st floor makes this a factory building. Two stairs properly enclosed are required by section 270 of the Labor Law."

and
WHEREAS, the proposed building will be two stories and cellar in height, 55 ft. by 35 ft. in area; to be occupied: cellar, instruction room, 20 persons; 1st story, shop lockers and toilet, 40 persons; 2nd story, offices, 15 persons; and

WHEREAS, the applicant contends that it is proposed to construct a signal repair building upon the property owned by the New York Rapid Transit Corporation for the reason that this building is needed by the above corporation to replace a structure now in use by the corporation to do certain electrical repair work in connection with the operation of trains; that the existing building which is to be demolished now stands in the right-of-way of the new extension to the Independent Subway, which cuts through the repair and storage yard of this corporation; that the signal repair building is to be placed at a convenient location for the corporation on its territory and is to reimburse the corporation for the loss of the present structure; this proposed building is a two-story brick fireproof structure with room for repair work on first floor and offices on second floor; the structure measures 55 ft. in width by 35 ft. in depth, with heights of 9 ft. basement, 10 ft. 11 in. first floor and 10 ft. 8 in. second floor; as now planned, there are two exits from the instruction room in the basement, two exits from the shop on the first floor and one enclosed stairway from first to second floor, with iron stair and scuttle from second floor hall to roof.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the decision of the borough superintendent, on N.B. Applic. No. 158-40, Objection No. 2, *on condition* that there shall also be installed an exterior fire escape stairway leading from the door at the second floor level to grade, as indicated on plans filed with this appeal; that the width of such stairway shall not be less than 30 in. and that access shall be maintained at all times to the street from the foot of such fire escape; that any windows on the course of the fire escape shall be fireproof, self-closing and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL.

68-38-SA.

APPLICANT—William Robert Wilson, for Gray-Wilson Company, owner.

SUBJECT—Romine Gas Range Connection—Application for reopening and amendment of resolution to include the Gray-Wilson Company Standards Ductilix Connectors for Gas Ranges.

APPEARANCES—None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(68-38-SA)

WHEREAS, William R. Wilson, president, for The Gray-Wilson Company, owner, filed February 4, 1938, an application with the Board of Standards and Appeals for approval of their device known as the Romine Gas Range Connection; and

WHEREAS, the device was submitted to the engineer of the Board for test and report; and

WHEREAS, the report of the engineer of the Board and of the committee making the test is substantially as follows:

"This fitting consists of two threaded brass elbows with a bevelled end which are attached to a length of metal tubing with upset ends so designed as to fit tightly over the bevelled end of the elbow with a grip of approximately $\frac{1}{8}$ in. and locked in place with a compression nut. The inside diameter of tubing and fittings is $\frac{1}{2}$ in. so as to give free flow to the gas. The intent is to allow play in the piping so that the gas range or other appliances can be properly adjusted after it is connected up. The Tubing is aluminum or copper conforming to specifications of the A.S.T.M.

A committee of the board consisting of Commissioners Savage and Blum and Chief Engineer Huber inspected and tested the device and found the device satisfactory and conforming with the provisions of section 14.13.1 and with section 14.13.4 of the building code.

It is recommended that this device with approved aluminum, or copper tubing be approved for use in New York City as an intermediate connection between outlet and gas appliance on condition that no length of tubing exceed 6 ft. between connection and that the device have a stamp or decalcomania appearing on the fitting reading as follows: 'Approved by the Board of Standards and Appeals for Use in New York City, under Cal No. 68-38-SA.'

and

WHEREAS, the device has been approved by the American Gas Association, Incorporated, Testing Laboratories, No. H-10-031, December 22, 1937; and

WHEREAS, this device was approved by the Board March 1, 1938, and applicant requested approval of cadmium plated fittings; and

WHEREAS, these fittings have been approved by the American Gas Association.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Romine Gas Range Connection for use in New York City as an intermediate connection with brass or steel cadmium plated fittings, between outlet and gas appliance *on condition* that no length of tubing shall exceed 6 ft. between connections and that the device have a stamp or decalcomania appearing on the fitting reading as follows:

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City,
UNDER CAL. NO. 68-38-SA.

MATERIAL SUBMITTED FOR APPROVAL.

610-39-SM.

APPLICANT—Contractors Products Company, owner.

SUBJECT—Union Metal Steel Bridging (for floor construction), approval of.

APPEARANCES—None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

Adjourned, 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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SPECIAL MEETING.

FRIDAY MORNING, MARCH 8, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

MATERIAL SUBMITTED FOR APPROVAL.

830-39-SM.

APPLICANT—George E. Strehan, for Metal Door Credit Association, owner.

SUBJECT—NYK-A and NYK-B One hour Metal-Covered Fire Doors, approval of.

APPEARANCES—

For Applicant: George E. Strehan, B. Weingrad, Alexander Katz, Jos. Dworetz, A. M. Fine, B. Kerzner, M. Miner, Arthur Klaukopf, Chas. Dworetz, Ben Hecht, W. Dorf, J. Cohen, W. Bomstein, Nathan Arnowitz, B. Rosenheim, H. Sussman, A. Shrouper and H. J. Coorman.

ACTION OF BOARD—Laid over after full hearing for further study and consideration by the Board.

Adjourned: 11:15 A.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, OTHER CELLULOSE PRODUCTS AND ADHESIVES AND TREATED ACOUSTICAL MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, April 12, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, other Cellulose Products and Adhesives and Treated Acoustical Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and C19-161.1 as amended by Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in C26-715.0 (12.1.1) and other places of public assembly as provided in C26-161.1, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

No combustible materials, unless flameproofed as provided in these Rules, may be used in buildings included in Rule 1.0. After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 4.0, shall meet the following requirements as to fire-retardant properties.

3.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

3.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

3.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

4.0 TESTS.

Materials and methods for flameproofing combustible materials for use under these Rules shall be approved by the Board. Tests for each specific installation of treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

4.1 SAMPLING FOR TEST SPECIMENS—Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 4.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

4.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the sample to provide a minimum of three test specimens from each sample for testing.

4.3 CONDITIONING OF TEST SPECIMENS—The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

4.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

4.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

4.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 4.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 4.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

4.7 RE-TESTS—When required by the Fire Commissioner and these Rules, flameproofed combustible materials shall be re-tested. Such re-testing shall be in accordance with the procedure for new materials as provided in these Rules.

5.0 APPROVAL AND CERTIFICATION.

Approval of flameproofed combustible materials, as provided in Rule 1.0, shall be effective for no more than one year, after which time a re-test shall be made or the material shall be re-treated and re-tested. The Fire Commissioner may require check tests at any time and material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 3.0.

5.1 MARKING—Materials that have been accepted as meeting the requirements of these Rules shall be marked with a suitable stamp, tag or label, reading as follows: "Approved as complying with the Rules for Fire Tests of Flameproofed Materials of the Board of Standards and Appeals" and including thereon the date of such approval.

RULES

RULES ON USES OF INSULATING FIRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. ..EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10

Maximum linear expansion, per cent	$\frac{1}{2}$	$\frac{1}{2}$	—
Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens $\frac{1}{2}$ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding $\frac{1}{2}$ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with $1\frac{1}{8}$ " No. 13 gauge blued or galvanized plaster board nails, with $\frac{3}{8}$ " heads for $\frac{1}{2}$ " board and $1\frac{3}{4}$ " nails with $\frac{3}{8}$ " heads for $\frac{3}{4}$ " or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than $\frac{2}{3}$ by weight of sand and $\frac{1}{3}$ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than $1\frac{1}{2}$ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than $\frac{1}{4}$ " thick.

2.1.2.2. "BROWN OR SECOND COAT."

The brown coat shall contain not more than $\frac{3}{4}$ by weight of sand and the remaining $\frac{1}{4}$

RULES

shall not contain less than $\frac{3}{5}$ of calcined gypsum and not more than $\frac{2}{5}$ of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than $\frac{3}{16}$ " in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than $\frac{1}{16}$ " thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of $\frac{1}{2}$ " plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with $1\frac{1}{2}$ " wire nails, 6" or less c-c, with $\frac{3}{8}$ " head, and for $\frac{3}{4}$ " or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE.

Untreated combustible insulation board of a single layer or thickness not to exceed $\frac{1}{2}$ " when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
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New York City.

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DIRECTORY
BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELLIOTT
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
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HOURS OF CONSULTATION
10 A. M. to 1 P. M.
Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS
No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.
Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.
Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.
At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.
Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.
Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.
HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

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273-40-A.....F.D.....166-02 to 166-08 Jamaica avenue and 92-01 to 92-07 166th street, southeast corner (Block No. 1169, Lot No. 1), Jamaica, Borough of Queens, 3963-L.F. and Decision.

274-40-SM.....City One and One-Half Hour Hollow Metal Fire Door, manufactured by City Fireproof Door Company, Inc., Material.

275-40-BZ....H.B.R.....101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond, N.B. 344-39.

276-40-A.....F.D.....324 Avenue A and 500 East 20th street, southeast corner (Block No. 977, Lot No. 54), Borough of Manhattan, 20506-C and Decision.

277-40-SM.....Price Fireproofing Compound "C" (preparation for flameproofing fabrics, paper, wood, fibre wallboard, etc.), manufactured by Price Fire and Water Proofing Company, Material.

278-40-SM.....Insulcrete (method of construction for One Family Dwelling), manufactured by J. L. Walsh, Material.

279-40-SM.....All Weather Processors, Inc., Flameproofing Substance (for Flameproofing Materials used in places of Public Assembly), manufactured by All Weather Processors, Inc., Material.

280-40-A.....F.D.....111-117 47th street, north side, 74 ft. 4 in. east of First avenue (Block No. 735, Lot No. 1), Borough of Brooklyn, 3616-L.F. and Decision.

281-40-A.....F.D.....112 Worth street, south side, 59 ft. 2 in. west of Elm street

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282-40-SM.....Merkin Metal Protective Coating No. 905 and 291 and R. P. Asphalt Emulsion (Field Coat for Structural Steel), manufactured by M. J. Merkin Paint Company, Inc., Material.

283-40-SM.....Scovill Vacuum Breaker Ballcock No. 24-VB, manufactured by Scovill Manufacturing Company, Material.

284-40-A.....H.B.Q.....90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens, N.B. 68-40.

285-40-A.....F.D.....602 Water street, north side, 47.8 ft. east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan, 20973-L.C.

286-40-A.....F.D.....42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan, 7021-L.F. and Decision.

287-40-S.....F.D.....42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan, 7019-L.F. and Decision.

288-40-A.....H.B.Q.....45-66 195th street, northwest corner of 46th avenue (Block No. 5536, Lot No. 41), Flushing, Borough of Queens, N.B. 8310-39.

289-40-BZ....H.B.Bx...447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 67), Borough of The Bronx, Alt. 960-39.

290-40-A.....H.B.R.....36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1),

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Silver Lake, Borough of Richmond,
B.N. 100-40.

291-40-A.....H.B.B.....519-521 Remsen avenue, east side,
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292-40-A.....H.B.M....304 West 67th street, south side,
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hesives for Use in Places of
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1488-21-A.....F.D.....21-07 41st (Wilbur) avenue, north
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DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

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MARCH 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, March 19,*
1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 1397-39-BZ—Application, November 14, 1939, under
section 21 of the building zone resolu-
tion, of Cafiero and Lacerenza, appli-
cants, on behalf of Fannie Silverman,
owner, to permit in a residence use
district, the erection and maintenance
of a business building (stores); prem-
ises 1602-1612 Neck road and 2277-
2281 East 16th street, southeast corner
(Block No. 7377, Lot No. 54), Bor-
ough of Brooklyn.

CAL. NO. 822-39-BZ-WF—Application June 20, 1939, under
sections 7h and 21 of the building zone
resolution, of Herbert C. Drescher, ap-
plicant, on behalf of Lab Holding Cor-
poration, owner, (Kemps Restaurant,
lessee), to permit partly in a business
use district and partly in a residence use
district, for a temporary period of not
more than two (2) years, the parking of
more than five (5) motor vehicles;
premises 49-11 Lawrence street, south-
east corner of Avery avenue (Block No.
5105, Lot No. 18 and part of Lot No.
15), Flushing, Borough of Queens.

CALENDAR

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 328-39-BZ—Application, March 15, 1939, under section 7h of the building zone resolution, of Robert Howard Cook, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 1307-39-BZ—Application originally filed October 24, 1939, amended application, March 6, 1940, under section 21 of the building zone resolution, of Joseph J. Furman, applicant, on behalf of Peter Schmuck and 346 West 44th Street Realty Corporation, owners, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and, also, the omission of the required rear yard (amended as to application for use of section 7h of the building zone resolution, the City of New York, trustee for May Lillian de Ruggiero and guardian for on behalf of Chase National Bank of or Joseph Sliva, applicant and lessee, part of premises for parking and storage of more than five (5) motor vehicles); premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 55), Borough of Manhattan.

CAL. NO. 1322-39-BZ—Application, October 26, 1939, under section 7h of the building zone resolution, of William I. Hohausser, applicant, on behalf of Clinton Estates, Inc., to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

CAL. NO. 1463-39-BZ—Application, November 30, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Temple Gates of Prayer (also known as Congregation Shaari Tefilla), owner, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities;

premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

CAL. NO. 1468-39-BZ—Application, December 2, 1939, under sections 7a and 7e of the building zone resolution, of Harry B. Lindberg, applicant, on behalf of Borden's Farm Products Division of The Borden Company, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

CAL. NO. 1236-39-BZ—Application, October 10, 1939, under section 7h of the building zone resolution, of Robert J. Reiley and Charles C. Reiley, applicants and owners (Otto A. Bradman and John Resto, lessees), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

CAL. NO. 1426-39-BZ—Application, November 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Leon G. Wertheimer, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 331 Morris Park avenue, northeast corner of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

CALENDAR

198-40-A—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.

65-40-A—140-09 Rose avenue, west side, 78 ft. north of Kissena boulevard (Block No. 5230, Lot No. 37), Flushing, Borough of Queens.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

107-40-A—744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn.

47-40-A—759 Sixth avenue, west side, 39.8 ft. north of West 25th street (Block No. 801, Lot No. 38), Borough of Manhattan.

48-40-A—765 Sixth avenue, west side, 79.6 ft. north of West 25th street (Block No. 801, Lot No. 40), Borough of Manhattan.

84-40-A—78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan.

245-40-A—1331 Halsey street, northwest corner of Irving avenue (Block No. 3407, Lot No. 1), Borough of Brooklyn.

268-40-A—147-165 Wolcott street, south side, 125 ft. west of Conover street (Block No. 574, Lot No. 12), Borough of Brooklyn.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

270-40-A—84-24 116th street, west side, 180 ft. south of 84th avenue (Block No. 9215, Lot No. 19), Richmond Hill, Borough of Queens.

Variation of the Labor Law.

55-40-S—21-02 to 21-16 43rd avenue, southeast corner of 21st street (Block No. 441, Lot No. 16), Long Island City, Borough of Queens.

MARCH 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 26, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station;

premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919 - 5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408 - 1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 502-32-BZ—Application of Lama and Proskauer, applicants, on behalf of C. J. A. Realty Corporation, owner, reopened February 14, 1940, for consideration as to extension of time to complete work—re Application, previously granted on condition, under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

CALENDAR

CAL. NO. 17-40-BZ—Application, January 5, 1940, under section 7h of the building zone resolution, of Max Siegel, applicant, on behalf of Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1411-39-BZ—Application, November 16, 1939, under section 21 of the building zone resolution, of Jacob J. Gloster, applicant, on behalf of Alfonzina Giogrande, owner, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

CAL. NO. 100-40-BZ—Application, January 27, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of Celia H. Seelig, owner, to permit, partly in a business use district and partly in a residence use

district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

CAL. NO. 1334-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Austin W. Magee and A. Stanley Miller, applicants, on behalf of Bettina Franzese, owner (Paul Travis, lessee), to permit in a business use district the alteration and change of occupancy of an existing building to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1316-39-A—52-15 Flushing avenue, northwest side, 113 ft. southwest of 54th street (Block No. 2319, Lot No. 22, Block No. 2320, Lot Nos. 28 and 23 and Block No. 2324, Lot No. 50), Maspeth, Borough of Queens.

63-40-A—6 Gansevoort street, south side, 99 ft. west of 4th street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan.

276-40-A—324 Avenue "A" and 500 East 20th street, southeast corner (Block No. 977, Lot No. 54), Borough of Manhattan.

70-40-A—79 Fifth avenue and 2-8 East 16th street, south east corner (18th floor—penthouse); (Block

CALENDAR

No. 843, Lot No. 45), Borough of Manhattan.

103-40-A—294-296 Bowery, west side, 88 ft. 6 in. north of East Houston street (Block No. 521, Lot Nos. 84 and 85), Borough of Manhattan.

108-40-A—772-786 Broadway, east side, entire block from East 9th street to East 10th street, 71-91 East 9th street, 60-74 East 10th street and 60-74 Fourth avenue (Block No. 555, Lot No. 1), Borough of Manhattan.

109-40-A—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

273-40-A—166-02 to 166-08 Jamaica avenue and 92-01 to 92-07 166th street southeast corner (Block No. 1169, Lot No. 1), Jamaica, Borough of Queens.

271-40-A—2325 West street, east side, 220 ft. south of Avenue "W" (Block No. 7176, Lot No. 67), Borough of Brooklyn.

291-40-A—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

221-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 3 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

288-40-A—45-66 195th street, northwest corner of 46th avenue (Block No. 5536, Lot No. 41), Flushing, Borough of Queens.

284-40-A—90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens.

290-40-A—36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond.

APRIL 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1310-39-BZ—Application, October 25, 1939, under section 21 of the building zone resolution, of Richard E. Carey, applicant, on behalf of Eva B. Smith, owner (Joseph Brown, lessee), to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe

avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.

CAL. NO. 1483-39-BZ—Application, December 7, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of East River Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.

CAL. NO. 68-40-BZ—Application, January 19, 1940, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Inc., and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened **June 20, 1939, under section 21 of the building zone resolution**, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, southeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 1492-39-BZ—Application, December 9, 1939, under sections 7h and 21 of the building zone resolution, of Newburgh Savings Bank, applicant and owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405-A (1399), Lot No. 125), Borough of Brooklyn.

CAL. NO. 574-39-BZ—Application, May 5, 1939, under sections 7b and 21 of the building zone resolution, of Ridgewood Savings Bank, applicant and owner (E. K. Demmel, lessee), to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

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CAL. NO. 1532-39-BZ-WF—Application, December 22, 1939, under section 7h of the building zone resolution, of Stanley H. Hemley, applicant, on behalf of Kew Gardens Corporation, owner (August Meyers, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

235-40-A—17 Leonard street, north side, 213 ft. 9½ in. east of Hudson street (Block No. 179, Lot No. 50), Borough of Manhattan.

301-40-A—761-778 Seventh avenue, east side, from West 50th to West 51st streets, 159 West 50th street and 154 West 51st street (Block No. 1003, Lot No. 1), Borough of Manhattan.

151-40-A—37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens.

178-40-A—2914-2916 Third avenue, east side, 81 ft. 3 in. south of East 152nd street, and 607 Bergen avenue (Block No. 2362, Lot No. 13), Borough of The Bronx.

225-40-A—37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens.

239-40-A—108 Park Row, west side, 74 ft. 10½ in. north of Duane street (Block No. 159, Lot No. 57), Borough of Manhattan.

281-40-A—112 Worth street, south side, 59 ft. 2 in. west of Elm street (Block No. 157, Lot No. 18), Borough of Manhattan.

305-40-A—63-09 to 63-11 Roosevelt avenue, north side, 65 ft. 6 in. east of 63rd street, and 39-09 to 39-11 63rd street (Block No. 1293, part of Lot No. 49), Woodside, Borough of Queens.

286-40-A—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

292-40-A—304 West 67th street, south side, 100 ft. west of West End avenue (Block No. 1178, Lot No. 37), Borough of Manhattan.

302-40-A—1348-1350 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

307-40-A—220 Hamilton avenue, west side, 88 ft. 1 in. north of Luqueer street (Block No. 514, Lot No. 12), Borough of Brooklyn.

313-40-A—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

311-40-A—Blocks bounded by 263rd street, Long Island Motor Parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive, Lot Nos. 1, 2, 8, etc.), Creedmore, Borough of Queens (Hillside Hospital).

Variation of the Labor Law.

287-40-S—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

APRIL 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 897-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Nordlinger, Riegelman and Cooper, applicants, on behalf of Adolph Lewisohn & Sons, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan.

CAL. NO. 1479-39-BZ—Application, December 5, 1939, under section 21 of the building zone resolution, of Israel G. Seeger, applicant, on behalf of Luisa Prisco, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No.

CALENDAR

4483-A, Lot Nos. 53 and 54), Borough of Brooklyn.

CAL. NO. 1529-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn.

CAL. NO. 1552-39-BZ—Application, December 29, 1939, under section 7h of the building zone resolution, of Antonie Sikora, applicant and executrix of Estate of Ludwig Sikora, deceased, as mortgagee in possession, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-15 Crescent street, northeast corner of 33rd avenue (Ridge street); (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens.

CAL. NO. 1025-39-BZ—Application of Frank Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, reopened January 3, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1516-39-BZ—Application, December 18, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of New York City Society of the Methodist Episcopal Church, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Grand Concourse boulevard and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert G. Zetsche, applicants, on behalf of Sheffield Farms Company, Inc., owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 12, 1940, 10 A. M.

Rules

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, other Cellulose Products and Adhesives and Treated Acoustical Materials, for use in places of Public Assembly and Special Occupancy Structures.

APRIL 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

CAL. NO. 1238-39-BZ—Application, October 6, 1939, under section 21 of the building zone resolution, of Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, applicants, on behalf of New York City Housing Authority (U. S. Housing Project NY 5-3), owner, to permit in a residence use district the maintenance of a garage for three (3) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers; 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

CAL. NO. 1129-27-BZ—Application of Oscar Lowinson, applicant, on behalf of Renweis Holding Corporation, owner, reopened February 21, 1939, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No.

CALENDAR

2069, Lot No. 1), Borough of Manhattan.

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

CAL. NO. 292-17-BZ—Application of Van Wart and Ackerman, applicant, on behalf of The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, owners, reopened February 27, 1940, under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1408-39-BZ—Application, November 16, 1939, under sections 7c and 21 of the building zone resolution, of Irving Kirshenblit, applicant, on behalf of Lydia D. Backus, owner (Edward Aibel, lessee), to permit in a business use district the extension of an existing gasoline service station and accessory buildings; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940, at 10 o'clock, in Room 1013, Municipal building, Manhattan, on the following matters:*

CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung,

CALENDAR

Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

CAL. NO. 95-40-BZ—Application, January 27, 1940, under section 7h of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.

CAL. NO. 167-40-BZ—Application, February 13, 1940, under sections 7c and 21 of the building zone resolution, of Albert Mayer and Julian H. Whittlesey, applicants, on behalf of 240 Central Park South, Inc., owner, to permit, partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class "A" multiple dwelling having business use (stores and restaurant) on the first story; premises 232-240 Central Park South, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot No. 58), Borough of Manhattan.

CAL. NO. 282-25-BZ—Application of Paul Friedman, applicant, on behalf of Bay Parkway Holding Corporation, owner, reopened for rehearing on alleged new facts January 30, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court); premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912

Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1501-39-BZ—Application, December 13, 1939, under section 21 of the building zone resolution, of James R. Curreri, applicant, on behalf of R. Marinelli, owner, to permit in a residence use district the erection and maintenance of a business building (two (2) stores) and, also, the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

CAL. NO. 177-40-BZ—Application, February 14, 1940, under sections 7b and 7c of the building zone resolution, of H. I. Feldman, applicant, on behalf of Bonvenu Corporation, owner, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises 17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 23, 1940, 2 P. M.

Appeal from Administrative Decision.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

MAY 7, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 7, 1940, at 10 o'clock, in, Room 1013, Municipal Building, on the following matter:*

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MARCH 12, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Wednesday morning, February 13, 1940, and the minutes of the regular meeting of the Board held on Wednesday afternoon, February 13, 1940, were approved as printed in Bulletin No. 8, Vol. No. 25.

BUILDING ZONE CASES.

553-29-BZ.

APPLICANT—Lama and Proskauer, for Lefland Realty Company, Incorporated, owner.

SUBJECT—Application reopened November 28, 1939 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension of a public garage, gasoline service station and lubritorium.

PREMISES AFFECTED—1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to March 26, 1940, at 10 A.M., for further consideration by the Board.

1474-39-BZ.

APPLICANT—John F. Meehan, for Max Wieser, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John F. Meehan.

For Opposition: Mrs. Anna Arnold.

ACTION OF BOARD—Laid over to March 26, 1940, at 10 A.M., on request of applicant.

95-26-BZ.

APPLICANT—William Shary, for Estate of Fannie Levy, owner (F & H. Service Station, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted on condition—re extension and enlargement of an existing gasoline service station).

PREMISES AFFECTED—1234-1236 Jerome avenue, east side, 110.74 ft. south of East 168th street, and 1233-1237 River avenue (Block No. 2489, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and Bernhard Cohen.

For Opposition: Milton Kleinman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

197-39-BZ.

APPLICANT—Rudolph B. Weiss, for Louise De Vito, owner (William De Vito, lessee).

SUBJECT—Application reopened and restored to Calendar February 27, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop (previously dismissed for lack of prosecution).

PREMISES AFFECTED—150-47 12th road and 12-28 to 12-30 Cross Island boulevard, northwest corner (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Rudolph B. Weiss, Bernhard Steinman, William De Vito, Louise E. De Vito and M. J. Graham.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

4

0

THE RESOLUTION—

(197-39-BZ)

WHEREAS, Rudolph B. Weiss, for Louise DeVito, owner (William De Vito, lessee), filed an application, under section 21 of the building zone resolution, to permit in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop; premises 150-47 12th road, northwest corner of Cross Island boulevard (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens; and

WHEREAS, this application was dismissed for lack of prosecution; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 12th road is in a business and residence use district; Cross Island boulevard is in a business use district; 12th avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent, on Applic. No. 8215-1939, dated February 3, 1939, and as amended December 14, 1939, reads:

"The extension on an existing gasoline station of an accessory building used as a laundry and repair shop, is contrary to Article 2, Sec. 4 of the Zoning Law."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on 12th road and 50 ft. on Cross Island boulevard, a portion of the plot now developed with a one-story structure, 51 ft. by 30 ft. in area, occupied as an auto laundry, lubritorium, motor vehicle repair shop and office, and the remainder of the plot is used as a gasoline service station; it is proposed to occupy the premises as now developed; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had sub-

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stantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, to rearrange and reconstruct the existing gasoline station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations, and that the application be and it hereby is *granted*, to permit the reconstruction and rearrangement of the legally existing gasoline service station and motor vehicle repair shop substantially as indicated on plans marked "Received February 21, 1939," *on condition* that the accessory building shall not be increased in height or area; that any windows on the interior lot line shall have steel frames and sash and shall be glazed with wire glass and made self-closing; that any heating equipment shall be installed in a separate portion of the building, separated from other portions of the accessory building by incombustible materials and enterable only from the exterior; that no doors shall be constructed on the greasing section unless a ventilating system is installed in the greasing pits with a sparkproof motor and with a duct extending through the roof; that no additional pumps shall be installed nearer than 10 ft. to any street building line and that any pumps within 10 ft. shall be relocated; that there shall be erected on the northerly and westerly interior lot lines an enclosing wall or fence through to the street building line not less than 5 ft. in height; that the curb cuts shall not exceed those now existing; that the automobile repairing shall be limited to such repairing as can be done with hand tools, excluding the use of anvil, forge or other heavy equipment; that signs shall be restricted to permanent signs attached to the accessory building, excluding all temporary signs and roof signs, but permitting the erection within the building line near the intersection of 11th avenue and 12th road of a pipe standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that no portable gasoline tanks shall be used on or from the premises; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

272-39-BZ.

APPLICANT—City Bank and Farmers Trust Company, owner.

SUBJECT—Application reopened for rehearing February 14, 1940—re Order of the Court—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre (previously denied by the Board).

PREMISES AFFECTED—645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Levy and others.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief Walsh	2
Negative: Chairman Murdock and Commissioner Blum	2

THE RESOLUTION—

(272-39-BZ)

WHEREAS, City Bank and Farmers Trust Company, owner, filed March 3, 1939, an application under section 21 of the building zone resolution, to permit in a restricted retail use district the erection and maintenance of a motion picture theatre; premises 645-647 Madison avenue, east side, 50.5 ft. south of East 60th street (Block No. 1374, Lot No. 51), Borough of Manhattan; and

WHEREAS, this application was denied by the Board and upon Court review, the Court remanded it to the Board for further testimony; and

WHEREAS, a full hearing was held by the Board and additional testimony submitted by the applicant was duly considered; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 23-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

586-39-BZ.

APPLICANT—Joseph B. Lynch, for Mary L. Moll and Charles London, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(586-39-BZ)

WHEREAS, Joseph B. Lynch, for Mary L. Moll and Charles London, owners, filed on May 8, 1939, an application under the building zone resolution, to permit in a business use district the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station; premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bond street and Atlantic avenue are in a business use district; Pacific street is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 1481-1939, dated April 26, 1939, reads:

"Proposed extension to existing garage for more than five (5) cars and conversion of part of garage to gasoline service station in a business use district is contrary to Art. II, Sec. 4, of the Building Zone Resolution."

and

WHEREAS the premises consist of a plot of ground having a frontage of 93 ft. 9 in. and a depth of 90 ft., upon which there is located a two-story public garage, 56 ft. by 90 ft. in area, and two two-story brick buildings having a total frontage of 37 ft. 9 in. and a depth of 50 ft.; it is proposed to demolish the two two-story brick buildings and to extend the easterly rear portion of the garage by the erection of a one-story extension, 37 ft. 9 in. by 65 ft. in area, to relocate the street wall of the first story of the existing garages and to create an alcove gasoline service station; it is also proposed to extend said gas station, so as to include the entire street frontage of the plot, thus forming a gas station 93 ft. 9 in. by 25 ft. in area; and

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WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant, in compliance with section 7g of the building zone resolution, has filed more than 80 percent of consents of affected property owners; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 7, subdivision g, and section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under sections 7g and 21 thereof, to permit the extension of the existing garage and the alteration as proposed, generally as indicated on plans filed herewith, *on condition* that the building shall be constructed fireproof throughout; that any windows on the rear lot line shall be fireproof, self-closing and fixed; that there shall be no windows on the interior lot line; that any skylights erected shall be not nearer than 15 ft. to any lot line; that such skylights shall be glazed with plain glass with protective grilles over and under; that no gasoline pumps shall be erected nearer than 10 ft. to the street building line; that curb cuts shall be restricted to two (2), not over 30 ft. in width each; that no part of a curb cut shall be nearer than 3 ft. to the side lot line as extended; that any greasing lifts installed shall be of the hydraulic lift type; that signs shall be restricted to permanent sign attached to the facade of the building, excluding all temporary signs and all roof signs, but permitting a sign bracketed out from the front wall, advertising solely the brand of gasoline for sale and permitting such sign to be illuminated and provided it does not extend beyond the building line for a distance of more than 4 ft.; that the boiler room shall be enclosed in fireproof material and separated from the balance of the building by walls of incombustible material; that the entrance to same shall be outside the wall of the garage proper; that gasoline tanks shall be so located as to be not nearer than 25 ft. to the boiler room wall; that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct; that gasoline storage tanks shall not exceed six (6) 550-gallon tanks; that no automobile repairing shall be done on the premises; that all permits required shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

776-39-BZ.

APPLICANT—William R. Stanert, for Durfey-Ash Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: William R. Stanert.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(776-39-BZ)

WHEREAS, William R. Stanert, for Durfey-Ash Corporation, owner, filed June 2, 1939, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles;

premises 274-280 Wyckoff street, south side, 175 ft. east of Nevins street (Block No. 392, Lot No. 10), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Wyckoff street is in business, residence and unrestricted use districts; Warren street and Nevins street are in unrestricted and business use districts; Third avenue is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent on Applic. No. 1231-39, dated May 26, 1939, reads:

"Proposed storage & parking of more than 5 automobiles in a business use district contrary to Art 2, Sec. 4a, Par. 15 of Bldg. Zone Resolution."

and

WHEREAS, the premises consist of a vacant plot of ground having a frontage of 75 ft. and a depth of 100 ft.; it is proposed to occupy the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, and after inspection the committee recommended that the application be denied; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent on Applic. No. 1231-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1013-39-BZ.

APPLICANT—Norman L. Adolf, for Anna Greenberg, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (restaurant).

PREMISES AFFECTED—54-02 111th street, southwest corner of 54th avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Norman L. Adolf and Anna Greenberg.

For Opposition: David Taub and V. F. Restaino.

For Administration: Harold Klorfein, Park Department.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1013-39-BZ)

WHEREAS, Norman L. Adolf, for Anna Greenberg, owner, filed July 31, 1939, an application under section 21 of the building zone resolution, to permit in a residence use and E area district the erection and maintenance of a business building (restaurant); premises 54-02 111th street, southwest corner of 54th avenue (Block No. 2010, Lot Nos. 26 and 27), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the build-

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ing zone resolution show that 111th street and 53rd avenue are in residence, business use and E area districts; Corona avenue is in a business use and E area district; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 5708-1939, dated July 12, 1939, reads:

"The erection of a building in a residence E area district to be occupied as a restaurant is contrary to the Zone Law. (Art. II, Sec. 3, B.Z.R.) Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on 111th street and 100 ft. on 54th avenue; it is proposed to erect upon the site a one-story cement block structure, 20 ft. by 40 ft. in area, to be occupied as a restaurant; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 5708-1939, be and it hereby is affirmed and that the application be and it hereby is denied.

1079-39-BZ.

APPLICANT—Edmund T. See, for Brooklyn Trust Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—414-506 Brightwater court, south side, 107 ft. 5 in. east of Brighton East Fourth street, and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edmund T. See.

For Opposition: Lawrence Cohen.

For Administration: Harold Klorfein, Park Department.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

THE RESOLUTION—

(1079-39-BZ).

WHEREAS, Edmund T. See, for Brooklyn Trust Company, owner, filed on August 29, 1939, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 414-506 Brightwater court, south side, 107 ft. 5 in. east of Brighton East Fourth street, and 413-505 Boardwalk (Block No. 7284, Lot No. 2091), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Brightwater court, Boardwalk, Brighton East 4th, 5th and 6th streets are all in business use districts; and

WHEREAS, the decision of the borough superintendent on Applic. No. 1705-39, dated April 12, 1939, reads:

"Proposed storage and parking of more than 5 automobiles in a business use district contrary to Art. 2 Sec.

4a Par. 15 of Bldg. Zone Resolution. Therefore Application Denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 210 ft. on Brightwater court, 209 ft. on the Boardwalk and a depth of 200 ft.; it is proposed to occupy the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, of the building zone resolution for the temporary parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent on Applic. No. 1705-39 be and it hereby is affirmed and that the application be and it hereby is denied.

1465-39-BZ.

APPLICANT—Theodore R. Feinberg, for Scheel Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore R. Feinberg, Reginald S. Hardy, Henry V. P. Scheel and Frank H. Thomas.

For Opposition: Andrew Taggard, Maxwell Greer, Benjamin Millstein, David L. Samuels, Samuel C. Cohen, Louis J. Witkin, William Henke, Gottlieb Kanmerer and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

THE RESOLUTION—

(1465-39-BZ)

WHEREAS, Theodore R. Feinberg, for Scheel Corporation, owner, filed December 1, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 45th street is in a retail and residence use district; that West 44th street is in a residence and retail use district; Eighth and Ninth avenues are in retail use districts; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 211-1939, dated November 20, 1939, and as amended February 8, 1940, reads:

"1. Garage in a residential district is prohibited by the Zoning Resolution, Art. 2, par. 3."

and

WHEREAS, the proposed building is of fireproof construction, 50 ft. frontage by 90 ft. 4 in. in area, and six (6) stories in height; it is proposed to occupy the building as a

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non-storage garage for more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, as to N.B. Applic. No. 211-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1478-39-BZ.

APPLICANT—Arthur W. Renander, for Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander, James J. Curley and Robert E. Degnon.

For Opposition: Charles C. Link, Leonard H. Bogart and Joseph N. Polstein.

For Administration: Harold Klorfein, Park Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

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Negative

0

THE RESOLUTION—

(1478-39-BZ)

WHEREAS, Arthur W. Renander, for Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, filed December 5, 1939, an application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 87th drive, Hillside avenue, Edgerton avenue and 88th avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 5640-39, dated February 20, 1940, reads:

"The parking and storage of more than five motor vehicles within a business district is contrary to article 2, section 4 of the zone law.

(Not further considered)."

and

WHEREAS, the premises, part of a larger parcel of property, consists of an irregular shaped plot of ground having a frontage of 832 ft. on Hillside avenue and 87th drive and 100 ft. on Edgerton avenue; it is proposed to occupy the site, for a temporary period of not more than two (2) years,

for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, to be occupied for the transient parking of automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that the entire plot shall be levelled generally to the grade of Hillside avenue, surfaced with clean gravel, steam cinders or other suitable material, properly rolled and bound to prevent dusting and also to provide surface drainage; that there shall be erected on the interior lot lines a substantial woven-wire fence with steel posts not less than 6 ft. in height with no openings therein; that a similar fence shall be erected on street building lines of Edgerton avenue and Hillside avenue with no openings therein, except for three (3) to Hillside avenue; that such openings shall not exceed 20 ft. in width with curb cuts opposite not exceeding 20 ft.; that during the term of this permit the premises shall be used for no other use than the transient parking herein permitted; that no building shall be erected thereon except a building not over one story in height and not over 150 sq. ft. in area, which may be of frame, used solely for an office and shelter for the attendants; that no signs shall be erected on the premises except there may be a sign at each entrance, attached to fence, not over 15 sq. ft. in area, advertising transient parking and the price charged, provided such sign does not extend beyond the building line; that such portable fire-fighting appliances shall be installed and maintained as the fire commissioner shall direct; that proper aisles shall be maintained at all times for ready ingress and egress; that there shall be no extension of this permitted use over Lot 1, at the intersection of 87th drive and Hillside avenue, nor into any portion of the adjoining property in the residential use area; that all permits shall be obtained and all work shall be completed within three (3) months from the date of this resolution.

Adjourned, 1:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MARCH 12, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES.

113-38-BZ.

APPLICANT—Arthur Balley (lessee), for Keppler Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar, previously dismissed for lack of prosecution—(re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4300 Broadway and 663 West 183rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: Nathaniel Ellenbogen.

ACTION OF BOARD—Application reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
..... 0

389-28-BZ.

APPLICANT—Benjamin Bishon, for Bishon Service Station, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution as to sign—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2385-2393 Utica avenue, east side, 348.9 ft. south of Fillmore avenue (Block No. 8511, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Bishon.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
..... 0

THE RESOLUTION—

(389-28-BZ)

WHEREAS, this application affecting premises 2385-2393 Utica avenue, east side, 348.9 ft. south of Fillmore avenue (Block No. 8511, Lot No. 11), Borough of Brooklyn, was granted by the Board June 4, 1929, on certain conditions, plans approved February 4, 1930, resolution amended April 21, 1936, and owner requests a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on June 4, 1929, as amended by resolution approving plans on February 4, 1930, and as amended April 21, 1936, be and it hereby is *further amended*, so that as amended the resolutions shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that there shall be constructed along the building line a concrete curbing not less than 12 in. in height above grade; that there shall be provided at the easterly and northerly property lines a wall of approved masonry not less than 8 ft. in height, faced on the exterior with enameled face brick, coped with architectural terra cotta or natural stone trimming; that the one-story building proposed, as shown on the diagram, shall be finished on the exterior with enameled brick with architectural terra cotta or natural stone trimming; that no pumps shall be installed on the property within 10 ft. of the building line; that the vehicular driveways to the property shall not exceed a width of 10 ft. and the curb cuts shall be directly in front of same; that there shall be no portable gasoline tanks installed, maintained or operated on the premises; *that there shall be no advertising display other than a flat wall sign on the facade of the accessory building and on the glass globes of the gasoline pumps, excluding all roof signs and all temporary signs, except that there may be erected within the building line along Utica avenue two (2) post*

standards, each for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft., located as indicated on plans marked 'received March 2, 1940.'

"Resolved further, that until such time as Avenue S is constructed past the premises under appeal and until such time as curbs are constructed on Utica avenue in front of the premises, the requirement herein for construction of curbs on the building line shall be waived."

528-28-BZ.

APPLICANT—Charles Graff, for Albran Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district, extending from an unrestricted use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—442-452 89th street and 8902 Fifth avenue, southwest corner (Block No. 6066, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Graff.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
..... 0

THE RESOLUTION—

(528-28-BZ)

WHEREAS, this application affecting premises 442-452 89th street and 8902 Fifth avenue, southwest corner (Block No. 6066, Lot No. 26), Borough of Brooklyn, was granted by the Board December 14, 1928, on certain conditions, extension of time granted subsequently, and applicant requests a further extension.

Resolved, that the resolution adopted by the Board on December 14, 1928, be and it hereby is *amended*, only so far as it refers to the completion of the work so that as amended that portion of the resolution shall read:

"That in view of statement by applicant that all plans have been filed and permits obtained, that all work shall be completed within one year from the date of this amended resolution, on condition that other than as amended herein the resolution adopted by the Board on December 14, 1928, and as subsequently amended, shall be complied with in all respects."

56-34-BZ.

APPLICANT—Salvatore J. Cafiero, owner.

SUBJECT—Application for consideration—reopening and extension of time—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a petroleum storage plant with tanks above ground.

PREMISES AFFECTED—2115-2127 Neptune avenue, northwest corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Salvatore J. Cafiero.

ACTION OF BOARD—Application reopened and time extended.

MINUTES

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(56-34-BZ)

WHEREAS, Lama and Proskauer, for Joseph Cafiero, owner, filed on March 2, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a petroleum storage plant with tanks above ground; premises 2115-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn; and

WHEREAS, this application was withdrawn June 5, 1934; reopened by vote of the Board June 10, 1934, granted on condition July 10, 1934, and applicant requested an extension of time to obtain permits and complete the work

Resolved, that the resolution adopted by the Board on July 10, 1934, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing the work, so that as amended that portion of the resolution shall read:

"That all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

267-35-BZ.

APPLICANT—Bay Front Realities Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an oil storage plant.

PREMISES AFFECTED—73-02 to 73-20 and 74-02 to 74-16 Amstel boulevard, north side, 260 ft. west of Beach 72nd street (Block No. 524, Lot Nos. 1 and 500), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Julius Singer.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(267-35-BZ)

WHEREAS, this application affecting premises 73-02 to 73-20 and 74-02 to 74-16 Amstel boulevard, north side, 260 ft. west of Beach 72nd street (Block No. 524, Lot Nos. 1 and 500), Arverne, Borough of Queens, was granted by the Board March 24, 1936, on certain conditions, time extended February 24, 1937, February 15, 1938, and March 28, 1939, and applicant requested a further extension of time to complete the work; and

WHEREAS, the representative of the applicant stated that all permits have been obtained.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 24, 1936, only so far as it has reference to time within which to complete the work, so that as amended that portion of the resolution shall read:

"That all work shall be completed within one (1) year from the date of this amended resolution."

366-37-BZ.

APPLICANT—Queensboro Investing Company and Jackson Avenue Corporation, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—37-05 75th street, 37-04 76th street and 75-10 37th avenue, south side, between 75th and 76th streets (Block No. 465, Lot Nos. 30, 31, 35, 38, 40 and 42), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: George W. Bersch.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(366-37-BZ)

WHEREAS, F. Oscar Larson (lessee), for Queensboro Investing Company and Jackson Avenue Corporation, owners, filed July 15, 1937, an application under the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 37-05 75th street, 37-04 76th street and 75-10 37th avenue, south side, between 75th and 76th streets (Block No. 465, Lot Nos. 30, 31, 35, 38, 40 and 42), Jackson Heights, Borough of Queens; and

WHEREAS, this application was granted by the Board March 8, 1938, on certain conditions, resolution amended May 2, 1939, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on March 8, 1938, in so far as it refers to requiring fencing, so that as amended, the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, for a temporary period of two years from the date of this amended resolution to permit that portion of the plot within the business use area to be used for parking and storage of more than five motor vehicles of the pleasure-car type, on condition that the entrance shall be solely from 37th avenue; that the existing hedge shall be maintained and continued across existing entrance from 76th street; that there shall be erected on the line dividing the business use area from the residential use area continuously from 75th to 76th streets, a fence not less than six ft. in height, which may be of wood or metal or constructed of substantial woven wire; that barricades or bumpers shall be erected parallel to 75th and 76th streets to preclude cars being parked within 10 ft. of either building line; that the plot shall be levelled substantially to the level of 37th avenue and covered with steam cinders or other suitable material, properly rolled and bound so as to prevent dusting, and graded so as to provide surface drainage; that any lights erected for illumination shall have metallic reflectors and shall be so placed as to reflect away from the residential property on 75th and 76th streets; that during the term of this variance the plot shall be used for no other use; that no building shall be erected thereon except there may be a small building not over 100 sq. ft. in area, one story in height, near the entrance, as a shelter for attendant; that existing signs

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shall be removed and no signs shall be erected other than a sign near the entrance, not exceeding 5 sq. ft. in area, advertising the parking and storage; that the entrance to 37th avenue shall not exceed 10 ft. with curb cut opposite not exceeding 15 ft.; that no cars shall be parked or stored other than those having up-to-date license plates and which are capable of operation; that proper aisle spaces shall be maintained, that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct and that all permits shall be obtained and all work completed within six months from the date of this amended resolution."

507-37-BZ.

APPLICANT—Beatty and Berlenbach, for Tilyou Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1621-1627 Surf avenue and 2927-2947 West 17th street, northeast corner (Block No. 7062, Lot No. 34 and part of Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

THE RESOLUTION—

(507-37-BZ)

WHEREAS, John J. Beatty, for Tilyou Realty Company, owner, filed October 26, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1621-1627 Surf avenue and 2927-2947 West 17th street, northeast corner (Block No. 7062, Lot No. 34 and part of Lot No. 38), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board March 1, 1938, on certain conditions, resolution amended April 12, 1938 and October 17, 1939, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 1, 1938, as amended by resolution of April 12, 1938, and October 17, 1939, only so far as it has reference to the term of the permit, so that as amended, that portion of the resolution shall read:

"Granted under section 7h, for a term of two (2) years from the date of this amended resolution."

531-37-BZ.

APPLICANT—James Mosgoffian (lessee), for Annie Zins, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street

(Block No. 572, Lot Nos. 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: James Mosgoffian.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

THE RESOLUTION—

(531-37-BZ)

WHEREAS, James Mosgoffian (lessee), for Annie Zins, owner, filed November 9, 1937, an application under the building zone resolution, to permit, partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles; premises 23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block No. 572, Lot Nos. 37 and 38), Astoria, Borough of Queens; and

WHEREAS, this application was granted by the Board February 7, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 7, 1939, only so far as it has reference to obtaining permits and completing work, so that as amended that portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within three (3) months from the date of this amended resolution."

573-37-BZ.

APPLICANT—Herman Kron, for Mutual Life Insurance Company of New York, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

THE RESOLUTION—

(573-37-BZ)

WHEREAS, Herman Kron, for Mutual Life Insurance Company of New York, owner, filed December 3, 1937, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan; and

WHEREAS, this application was granted by the Board January 10, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does

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hereby *amend* the resolution adopted on January 10, 1939, only so far as it has reference to obtaining permits and completing the work, so that as amended this portion of the resolution shall read:

"That all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS. 198-40-A.

APPLICANT—McLellan Stores Company (lessee), for Paly Realty Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.

APPEARANCES—

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to March 19, 1940, at 2 P.M., on telephone request from applicant.

1212-39-A.

APPLICANT—J. M. Felson, for Carey Garage Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—334-336 East 48th street, south side, 175 ft. west of First avenue, and 335-339 East 47th street (Block No. 1340, Lot Nos. 31, 34 and 35), Borough of Manhattan.

APPEARANCES—

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

81-40-A.

APPLICANT—Rocco D'Amato, for 1726 Lexington Avenue, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57½), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Contiguglia and Rocco D'Amato.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1196-39-A.

APPLICANT—Allen A. Blaustein, for Walter Goat, owner (Maurice Bass, lessee).

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—322-324 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein.

ACTION OF BOARD—Appeal reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1491-39-A.

APPLICANT—McDowell Sprinkler Corporation, for Airport Realty Corporation, owner.

SUBJECT—Appeal from an order of the borough superintendent of buildings and from an order and a decision of the fire commissioner.

PREMISES AFFECTED—30-02 to 31-20 Starr avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296, Lot No. 51), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: William Graepel and Edward Kieran.

For Administration: Thomas A. Larkin, Fire Department and Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1491-39-A)

WHEREAS, McDowell Sprinkler Corporation, for Airport Realty Corporation, owner, filed on December 11, 1939, an appeal from an order and a decision of the fire commissioner and an order of the borough superintendent of buildings; premises 30-02 to 31-20 Starr avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296, Lot No. 51), Long Island City, Borough of Queens; and

WHEREAS, order No. 3185-LF issued by the fire commissioner September 8, 1939, reads:

"1. Provide an approved siamese connection for sprinkler system located at the front of the building as per Art. 16, Ch. 26 Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated November 27, 1939; and

WHEREAS, Violation 2917-39 issued by the borough superintendent of buildings dated December 1, 1939, reads:

"You will please take notice that there exists a violation of section 16.6.1 of the B.C. and C26 1405, Adm. Code and B. of S. & A. Standpipe Rule 9, as follows: No tank provided for standpipe line."

and

WHEREAS, the building is six stories (110 ft.) in height, 74.95 ft. by 323.50 ft. in area; Class 1 construction; equipped with a standpipe and sprinkler system; erected in 1912; located in an unrestricted use district; occupied since 1927 as follows: cellar, cardboard manufacturing, 140 persons; second to fifth floors, inclusive, lithographers, 20 persons each floor; sixth floor, same, 35 persons; and

WHEREAS, the applicant contends that the sprinkler system consists of a 50,000-gallon steel gravity tank, 140 ft. above grade, two 8-inch city main connections, one 1,000-gallon-per-minute fire pump supplied from a 105,000-gallon reservoir and one 4-inch direct connection from city main to

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reservoir; that there are six fire hydrants on the property, and that part of the plant is equipped with a 2½-inch standpipe; that the two existing standpipe risers are connected to the 8-inch yard main; that it is proposed to disconnect the rear riser and install 100 ft. of 6-inch pipe so as to connect both risers together and to install a check valve; that this arrangement will permit the standpipe system to be fed from all of the existing sources of supply.

Resolved, that the order of the fire commissioner, No. 3185-LF, dated September 8, 1939, and that the decision of the borough superintendent acting on Violation No. 2917-39, dated December 1, 1939, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the siamese connection for sprinkler system shall be installed and that the cross-connection as proposed shall be maintained; that the standpipe system and sprinkler system shall in all other respects be maintained to the satisfaction of the fire commissioner; that the tank required by the order of the borough superintendent for the standpipe line may be omitted; *further*, that in all other respects the standpipe and sprinkler systems shall comply with the requirements of the building code and the rules of the Board of Standards and Appeals for heretofore accepted systems.

29-40-A.

APPLICANT—Museum Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—154-170 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Reinhart, Jr.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(29-40-A)

WHEREAS, Museum Estates, Incorporated, owner, filed on January 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 154 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated December 14, 1939, reads:

"Your letter of December 13, 1939, requesting permission to erect signs on marquee of theatre located at 170 Nassau Street has been received.

You are hereby advised that the erection of an illuminated sign at the above location is prohibited by Article 2, Section B26-7.0, Subdivision b, of the Administrative Code.

Your application therefore is hereby denied."

and

WHEREAS, the building is nineteen stories (230 ft.) in height, 197.3 ft. by 144 ft. 1¼ in., irregular in area; of fire-proof construction; equipped with a standpipe system; located in a business use district; erected in 1911; with an extension three stories in height which is occupied: sub-cellar, storage; cellar, storage and restaurant, 50 persons; first floor, stores and theatre lobby, 103 persons; second floor, offices, 40 persons; third floor, offices, 40 persons; the nineteen story main building is occupied: cellar, machinery room and storage; first floor, motion picture theatre, 590 persons; stores, 100 persons; second to nineteenth floors, inclusive, offices, not more than 25 persons per floor; and

WHEREAS, it is proposed to install one new sign on each

side at the top of the existing marquee, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the decision of the borough superintendent is based on subdivision a of section B-26-7.0 of the Administrative Code; that the illuminated signs as permitted by subdivision G of section B-26-7.0 are not within the limits of subdivision B of said section; that the only objection to an illuminated sign on Nassau street is that such sign would project on Nassau street and obstruct vision; that this objection does not exist due to the fact that the building faces on a large public space; that the marquee in question is legally existing and the proposed sign would not constitute a new projection.

Resolved, that the decision of the borough superintendent, dated December 14, 1939, be and it hereby is *modified*, and the appeal be and it hereby is *granted* so as to permit the erection of the proposed sign panels as shown on plans filed with this appeal on either end of the existing marquee, *on condition* that such panels shall be not larger in area nor contain more wording than shown on sketch submitted, and to permit the application for change of letters in the existing fascia of the marquee, provided such letters advertise only the motion pictures on exhibition in the theatre, and that an additional sign panel bearing the word "TRIBUNE", if illuminated, shall be limited as proposed to blue neon illumination.

59-40-A.

APPLICANT—Lama and Proskauer, for Ella Diamond, owner (Balco Service Station, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—310-316 Flatbush avenue extension, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Balenberg.

For Administration: D. Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(59-40-A)

WHEREAS, Lama and Proskauer, for Ella Diamond, owner, filed on January 16, 1940, an appeal from a decision of the borough superintendent of buildings; premises 310-316 Flatbush avenue extension, southwest corner of Albee square (Block No. 2079, Lot Nos. 9, 11 and 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Applic. No. 487-39, Objection 3, reads:

"3. Pumps must be set 10' 0" from building line."

and

WHEREAS, the premises consist of a plot 71 ft. 5½ in. by 27 ft. 9¾ in. in area, upon which a building one story (14 ft. 6 in.) in height, 22 ft. by 27 ft. 9¾ in. irregular in area, has been erected; of Class 3 construction; located in an unrestricted use B area district and occupied as a gasoline service station; and

WHEREAS, the applicant contends that the building was erected under Permit No. 487-39; that permission is requested to permit the pumps now located approximately 6 ft. 6 in. from the building line to remain, in view of the peculiar and unique shape of the parcel, so as to permit accessibility to the lubritorium; that this building was part of a gasoline station which once occupied the entire square; that at the expiration of the lease this portion was eliminated and is now built upon as a gasoline station; that the sidewalk of Flatbush avenue extension is 20 ft. in width and

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that cars driving in for gas will in no way be serviced on City property.

Resolved, that the decision of the borough superintendent acting on Applic. No. 487-39, Objection 3, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that no additional pumps shall be placed on the premises nearer than 10 ft. from either street line; and, *further*, that within two (2) years the existing pumps shall be re-located so as not to be nearer than 10 ft. from any building line.

87-40-A.

APPLICANT—Charles B. Schwanda (B. Schwanda & Sons, lessees), for Trainsmeadow Operating Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—36-05 to 36-15 36th street, northwest corner of 37th street (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles B. Schwanda and W. T. Moore.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(87-40-A)

WHEREAS, Charles B. Schwanda (B. Schwanda and Sons, lessees), for Trainsmeadow Operating Corporation, owner, filed on January 24, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 36-05 to 36-15 36th avenue, northwest corner of 37th street (Block No. 640, Lot Nos. 48, 2 and 102), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on Misc. Applic. No. 9504-1939, dated January 23, 1940, reads:

"Whereas, fireproof construction and standpipe requirements respectively were waived under Alt. 1692-39 in lieu of a proposed sprinkler system to be extended or installed throughout the building, it will be necessary to provide the existing system with two approved automatic sources as defined under C26-1351.0, subd. b. Administrative Code and required under C26.13700.0 in factories. Moreover, the system in its entirety shall conform in all other respects to Art. 16, Building Code and the Rules of the Board of Standards and Appeals."

and

WHEREAS, the building is three stories (38 ft.) in height, 150 ft. by 92.5 ft. in area; of Class 3 construction; equipped with a sprinkler system; located in an unrestricted use B area district and occupied: cellar, storage of galalith; first floor, manufacturing of buttons, 41 persons; second floor, office and stock room, 54 persons; third floor, manufacturing buttons, 45 persons; and

WHEREAS, the applicant contends that the building originally erected in 1924 was 75 ft. by 92.5 ft. in area; that it was extended in 1937 to 125 ft. by 92.5 ft., and in 1939 to 150 ft. by 92.5 ft. in area; that the building is open on all four sides except for the small portion as shown on plans filed with this appeal; that the manufacturing process is confined to buckles, slides and buttons, made of galalith and ocean pearl; that no celluloid or other inflammable materials are used on the premises; that practically the entire stock shelving is of steel; that the building is equipped with an automatic central fire alarm system and watchman service; that the sprinkler system in the two original portions of the

building was installed in 1937, under Plan No. 4520, and complied with the building code at the time of its installation; that a sprinkler system is now being installed in the one-story extension recently erected; that building No. 1, according to plans filed with this appeal, is separated from building No. 2 by a 12-inch fire wall with two openings, covered with kalamein doors at the first and second stories; that this fire wall is not continuous but extends from the front to rear of building except for a distance of 36 ft. at the rear, which is open; that the extension now in question is a one-story structure and comprises a net area of less than 2,500 sq. ft. which is approximately 7% of the area of the entire structure; that due to the non-hazardous nature of the manufacturing process, the existing fire protection, the low occupancy, and the good housekeeping conditions prevailing in the building, it is respectfully submitted that consideration should be given by the Board of a variance of the provisions of the Code so as to permit the acceptance of the condition as proposed.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 9504-39, Objection No. 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a one-source sprinkler system shall be installed throughout the entire building and shall meet the requirements of the Sprinkler Rules of the Board of Standards and Appeals, and the requirements of the Building Code therefor; that the central district alarm system and the watchmen's service, consisting of two watchmen on 24-hour service, shall be maintained; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

208-40-A.

APPLICANT—Mark J. Joseph, for Cortlandt and Dey Streets Corporation, owner (Cortlandt Cafeteria, Incorporated, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Mark J. Joseph and E. Sternberg.

For Administration: Inspector Meyer, Fire Department, and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(208-40-A)

WHEREAS, Mark J. Joseph (Cortlandt Cafeteria, Inc., lessee), for Cortlandt and Dey Streets Corporation, owner, filed on February 26, 1940, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 14-22 Cortlandt street, north side, 51 ft. 1½ in. east of Church street, and 9-17 Dey street (Block No. 63, Lot No. 3, Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on F.P. Applic. No. 80-1940, dated February 7, 1940, reads:

"Air cooling system by direct expansion—contrary to Section C19-98 (b) Adm. Code."

and

WHEREAS, the applicant has filed a decision of the fire commissioner, dated March 6, 1940, which reads:

"Replying to your letter of today's date, relative to the proposed direct expansion air cooling system at the above location, please be advised that Section C19-98 (b)

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prohibits the carrying of direct expansion from floor to floor, or as proposed, from the second floor to the first floor.

This department has no objection, however, if you care to avail yourself of your right to appeal to the Board of Standards and Appeals, Room 1002, Municipal Building, Manhattan."

and

WHEREAS, the building is two stories and cellar (30 ft.) in height, 119 ft. 1 in. by 212 ft. 9 in. in area; of Class 1 construction; equipped with a standpipe system; located in an unrestricted use B area district; erected in 1934; and occupied: cellar, storage, 5 persons; basement, restaurant and kitchen, 230 persons; first floor, restaurant and stores, 475 persons; second floor, offices, 10 persons; and

WHEREAS, the applicant contends that it is proposed to install three (3) new 30 H.P. compressors on the roof of the building, to install direct expansion coils in the present air system, to connect the refrigeration compressors with the new coils, and interconnect the expansion coils with the evaporative condenser on the same roof; that the entire ventilation system will thereby become a cooling system; that additional return ducts from the restaurant into the fan house will be provided.

Resolved, that the decision of the acting borough superintendent, acting on F.P. Applic. No. 80-1940, and the decision of the fire commissioner under date of March 6, 1940, be and they hereby are *modified*, and the appeal be and it hereby is *granted*, so as to permit the installation of the refrigerating system as proposed, *on condition* that the refrigerating room on the roof shall be constructed of incombustible materials; that there shall be a damper on the supply line installed with a fusible link that will operate in the event of fire in the machinery room; that a fusible link shall also be installed on the ceiling of the first story to operate damper in the return duct in the event of fire in the restaurant; that the system shall be maintained to the satisfaction of the acting borough superintendent and the fire commissioner, and shall at all times be in charge of a licensed engineer or a person holding a Certificate of Qualification; and that the amount of Freon in the system shall at no time exceed 450 lbs.

212-40-A.

APPLICANT—Stanley H. Klein, for John Mills, owner (Lime Cola Bottling Company of New York, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—28-07 Jackson avenue, north side, 50 ft. east of 42nd road and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Stanley H. Klein and I. Yablock.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(212-40-A)

WHEREAS, Stanley H. Klein, for John Mills, owner (Lime Cola Bottling Company of New York, Inc., lessee), filed on February 27, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 28-07 Jackson avenue, north side, 50 ft. east of 42nd road, and 28-09 42nd road (Block No. 420, Lot Nos. 4 and 32), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on

Alt. Applic. No. 2132 of 1939, dated February 16, 1940, reads:

"1. The extension of a business use (factory) into a frame bldg. is contrary to Section 4.1.2 and 4.2.1 of the Bldg. Code."

and

WHEREAS, the premises are located in an unrestricted use district; erected in 1900, 1925 and 1928. The premises consist of a plot fronting 25 ft. on Jackson avenue, 25 ft. on 42nd road and a depth of 100 ft. There has been erected on the plot a two-story frame building, 21 ft. in height, 25 ft. by 36 ft. in area, with one extension of non-fireproof construction 14 ft. in height, 25 ft. by 43 ft. in area, and another extension 25 ft. by 100 ft. in area fronting on 42nd road; occupied as follows: cellar, boiler room and storage; first floor, store, garage, auto repair shop; second floor, one apartment; proposed to be occupied: cellar, same; first floor, factory and bottling plant, 5 persons; second floor, one apartment; and

WHEREAS, the applicant contends that the extensions were added under Alt. 947-1925 and completed in November, 1925; that the bottling plant consists of a bottling machine located in the frame portion of the structure and extending about 5 ft. into the extension; that the balance of such story is used for the storage of bottles; that the mezzanine is used for mixing of syrup; that the delivery trucks use the 42nd road section of the structure.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 2132-1939, Objection No. 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the building shall not be further extended; that the frame portion shall be protected with sheet metal covering on all ceilings and side walls for the full extent of the area of such frame portion; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and *granted only so long* as the building is occupied as proposed and that no use that is deemed hazardous shall be introduced.

219-40-A-WF.

APPLICANT—Joseph Unger, for John B. Donohue, owner (Loretta Donohue, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-01 to 41-05 Lawrence street, southeast corner of 41st avenue (Block No. 5039, Lot No. 8), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Unger and John B. Donohue.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(219-40-A-WF)

WHEREAS, Joseph Unger, for John B. Donohue, owner (Loretta Donohue, lessee), filed on February 29, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 41-01 to 41-05 Lawrence street, southeast corner of 41st avenue (Block No. 5039, Lot No. 8), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 806-40, dated February 6, 1940, reads:

"The use of the above located premises within the World's Fair Zone as a cabaret is contrary to the World's Fair Resolution."

and

WHEREAS, the premises consist of a plot fronting 77 ft. 8 5/8 in. on Lawrence street, 59.8 ft. on 41st avenue, with a

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depth along the south lot line of 82 ft. 4 $\frac{7}{8}$ in., upon which is erected a one-story garage and motor vehicle repair shop, and auto laundry, offices in connection with a gasoline selling station, and the two-story, non-fireproof building in question which is 18 ft. wide, 82 ft. 4 $\frac{7}{8}$ in. in depth, and occupied as follows: first floor, restaurant, bar and grill; second floor, meeting hall; proposed to be occupied: first floor, restaurant and cabaret; second floor, meeting hall; and

WHEREAS, the applicant contends that it is necessary to secure a certificate for cabaret use to comply with the State Liquor Authority in order that the patrons may indulge in dancing and singing on the premises; that no floor show will be provided; that the only music will be from the radio or phonograph machine on the premises.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 806-40, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the only music provided on the premises shall be the radio or phonograph, as proposed.

222-40-A.

APPLICANT—William Lescaze, for Edward A. Norman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—124 East 70th street, south side, 120 ft. west of Lexington avenue (Block No. 1404, Lot No. 62), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Dumper and William Lescaze.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(222-40-A)

WHEREAS, William Lescaze, for Edward A. Norman, owner, filed on March 1, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 124 East 70th street, south side, 120 ft. west of Lexington avenue (Block No. 1404, Lot No. 62), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on N.B. Applic. No. 49-40, dated February 21, 1940, reads:

"2. Marquee projecting beyond building line contrary to Section 2.4.1.4.8. B.C.

3. Stairway should be enclosed throughout in partitions of one-hour rating, as per Section 61.2.1 B.C." and

WHEREAS, the building will be six (6) stories and cellar (71 ft. 9 in.) in height, 20 ft. by 80 ft. in area at first floor and 20 ft. by 71 ft. in area at typical floor; of Class 3 construction; located in a residence use B area district and occupied as a single-family building; and

WHEREAS, the applicant contends as to Objection No. 2, that the proposed projection of the small canopy over the entrance doorway, as indicated on drawings filed herewith, is desirable for protection of the entrance steps from the weather; that as proposed, it will not interfere with the public use of the sidewalk, being erected 11 ft. 6 in. above sidewalk level, and completely cantilevered from the building; that the projection will be 5 ft. 6 in., and the total width will be 8 ft. or 40% of the width of the lot; that this canopy will be an integral part of the building design and will not present an unsightly appearance; that it can be removed if hereafter required; that as to Objection No. 3, the enclosure

of the stairs on this type of single-family residence would ruin the layout and character desired by the owner, and deprive him of the best use of his property; that the stairs and hallways will be protected by a sprinkler system; that the floors of the building will be of reinforced concrete with cement finish; that partitions will be plastered gypsum block; that sash and door bucks will be of steel and stairs will be iron with cement treads; that there will be no combustible material in the construction of the building with the exception of doors, furnishings and built-in cabinet work; that the occupancy of the building will be nine (9) persons.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 49-40, Objection No. 3, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall be arranged as shown on plans filed herewith; that partitions shall be constructed of incombustible material; that the doors leading in the direction of exit shall be not less than 1 $\frac{3}{4}$ inches in thickness and veneered with hard wood; that there shall be maintained on the roof a ladder of sufficient length to reach the adjoining roof at No. 122 East 70th street; and denied as to Objection No. 2.

224-40-A.

APPLICANT—Manhattan Grocery Company (lessee), for Pioneer Real Estate Company, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—385 Gerard avenue, southwest corner of East 144th street (Block No. 2349, Lot No. 90), Borough of The Bronx.

APPEARANCES—

For Applicant: William B. Tackman.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(224-40-A)

WHEREAS, Manhattan Grocery Company (lessee), for Pioneer Real Estate Company, owner, filed on March 1, 1940, an appeal from an order of the fire commissioner, affecting premises 385 Gerard avenue, southwest corner of East 144th street (Block No. 2349, Lot No. 90), Borough of The Bronx.

WHEREAS, order No. 20794-LC, issued by the fire commissioner February 1, 1940, reads:

"With reference to your application dated December 18th, 1939, for transfer of permit numbered 249453 from 443 East 104th Street, Manhattan, to address noted above, I regret to inform you that this department is without power to grant such a permit for the reason:

That Section C-19.46.0-B-1, Art 7, Administrative Code prohibits the issuance of permit to store matches in any premises which are occupied as a workshop or factory.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the storage of approved matches in quantities aggregating more than sixty matchmens gross on these premises. (14,400 matches each gross.)

Sec. C-19-46.0 Art. 7, Administrative Code."

and

WHEREAS, the building is 130 ft. in height, 206 ft. 6 in. by 183 ft. 4 in. in area; of reinforced concrete construction; equipped with a standpipe and sprinkler system; erected in 1928; located in an unrestricted use district; occupied on the second story for wholesale grocery storage, 48 persons; and

WHEREAS, the applicant contends that the building formerly occupied by it was demolished by the New York City

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Housing Authority; that the building in question is an up-to-date fireproof building, sprinklered throughout; that the exits and entrances of the second story are isolated from those used by the balance of the tenants; that the matches which it is proposed to store are originally in corrugated cardboard cases and sealed to smother any internal combustion; that the order is based on the fact that the building is occupied as a work-shop or factory and that the applicant has failed to give the complete use and occupancy of the building.

Resolved, that the order of the fire commissioner, No. 20794-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the standpipe and sprinkler systems shall be maintained to the satisfaction of the fire commissioner; that the storage of matches shall at no time exceed 2500 matchmen's gross in approved I.C.C. packages (5 matchmen's gross to a case); that such material shall be isolated from other material of an inflammable nature; that an aisle around such stored material shall be not less than 3 ft. in width; that such matches shall be only those approved by the fire commissioner; and, *further*, that such additional portable fire-fighting appliances and equipment shall be maintained as the fire commissioner shall direct.

232-40-A.

APPLICANT—Albert Kaufman, for Samuel Leider, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—65-74 Saunders street, south side, 100 ft. west of 66th avenue (Block No. 3087, part of Lot No. 25), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: John Cooley and Albert Kaufman.
For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(232-40-A)

*WHEREAS, Albert Kaufman, for Samuel Leider, owner, filed on March 1, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 65-74 Saunders street, south side, 100 ft. west of 66th avenue (Block No. 3087, part of Lot No. 25), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on N.B. Applic. No. 9393-39, dated February 9, 1940, reads:

"1. The omission of perforations on horizontal V ribs of Ecod plain flameproof lath and its application on 2 x 3 studs is contrary to the approval of the Board of Standards and Appeals under Cal. No. 714-38-SM."

and

WHEREAS, the building will be six stories (61 ft. 9½ in.) in height, 140 ft. by 79 ft. in area; of Class 3 construction; located in a residence use D area district; occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant contends it is proposed to use Reynolds Flameproof Ecod Lath with the perforations omitted on the horizontal V-ribs, as recommended by the Board under Cal. No. 714-38-SM, and to apply said lath on some 2 by 3 studs in such portions of the building where said studs are permitted.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 9393-39, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the omission of the slot perforations

in the V-ribs, as required under the amended approval under Cal. No. 714-38-SM, adopted by the Board September 27, 1939.

249-40-A.

APPLICANT—Louis E. Jallade, for Department of Hospitals, Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—18-26 East End avenue and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: August Volmer.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(249-40-A)

WHEREAS, Louis E. Jallade, for Department of Hospitals, for Department of Public Works, City of New York, owner, filed on March 6, 1940, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 18-26 East End avenue, and 535-545 East 80th street, northwest corner (Block No. 1577, Lot No. 23), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on F.P. Applic. No. 1152-1939, dated March 6, 1940, reads:

"16. On cellar plan show size of check valve and drip on siamese. Show siamese flush type or recessed type set 18" or 36" above sidewalk. Show clapper valve on siamese.

20. Water Department letter gives pressure at street main as 36 lbs. This is insufficient to provide necessary pressure at highest hose outlet. Sec. 16.6.3.1."

and

WHEREAS, the proposed building will be five stories (63 ft. 10 in.) in height, 139 ft. by 89 ft. 2 in. in area; of Class 1 construction; located in a residence use B area district, and occupied: cellar, boiler room, storage, drug room and locker rooms; first floor, administration and waiting rooms, 500 persons; second floor, clinic, 190 persons; third to fifth floors, inclusive, clinic, 150 persons each floor; and

WHEREAS, the applicant contends as to Objection No. 16 that plans for this building were approved November 3, 1937, and that the siamese conformed to the then existing Code; that there were no plans filed for standpipe system at that time as the building did not then require a standpipe system; that the building was designed for the addition of two stories and that when these stories are added the standpipe system will be required; that it is now proposed to install risers, siamese and piping during construction so as to avoid cutting of granite and marble for future installation; that the tank, extended risers, and pumps will be installed when the building is extended; that it is requested that the requirements for the flush or recessed type of siamese be waived as the building was not designed for same originally; that as to Objection No. 20, although the standpipe system is not required, it is desired to make use of the system in its present condition even though the pressure of the top story will not be sufficient to comply with the Code.

Resolved, that the decision of the borough superintendent, acting on F.P. Applic. No. 1152-39 be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to objection No. 16 thereof, *on condition* that the siamese

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shall be as approved under the requirements of the rules of the Board and the former building code; and as to Objection No. 20, *on condition* that the pressure at the top of the fifth floor shall not be less than eight pounds, and that the nozzles on the hose at the top floor shall be $\frac{1}{2}$ inch in diameter; that *on further condition*, that if the building is increased in height to 75 ft. or over, thereby requiring a standpipe system, this voluntary standpipe system shall comply in all respects with the requirements therefor, except that the siamese as herein permitted may be continued.

1434-21-A.

APPLICANT—Rocco D'Amato, for 1726 Lexington Avenue, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57 $\frac{1}{2}$), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Contiguglia and Rocco D'Amato.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative. Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1434-21-A)

WHEREAS, Louis Mattola, for Ward Belknap and Son, owner, filed November 22, 1921, an appeal from an order of the fire commissioner, affecting premises 128-130 East 108th street, south side, 35 ft. west of Lexington avenue (Block No. 1635, Lot No. 57 $\frac{1}{2}$), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 9512-C, dated November 4, 1921, reads:

"1. Discontinue the maintenance of a junk shop, rag and paper stock storage at these premises."

and
WHEREAS, the premises consist of a plot of ground fronting on East 108th street; located in a business use district; upon the plot there is located a brick building one story in height, 30 ft. by 25 ft. in area, occupied as a junk shop; and

WHEREAS, this appeal was granted by the Board December 30, 1921, for a temporary period of time, and owner now requests an extension of the temporary period; and

WHEREAS, it appears that permits have been granted by the fire commissioner from year to year for the continuation of the use as junk shop; and

WHEREAS, the record as to the continued use of this building was before the Board under Cal. No. 739-39-BZ.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on December 30, 1921, so that as amended it shall read:

"Resolved, that the orders of the fire commissioner, Nos. 9512-C and 19724-LC, be and they hereby are modified, so that the occupancy shall be permitted to be continued for a term of five (5) years from the date of this amended resolution, *on condition* that the amount of combustible fibre stored on the premises shall not exceed three (3) tons of loose material; that the premises shall be maintained to the satisfaction of the fire commissioner, and that the building and use shall not be extended."

944-39-A.

APPLICANT—Lawrence M. Rothman, for Tolsen Realty

Company, owner (Bronx Asphalt Company, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

APPEARANCES—

For Applicant. Lawrence M. Rothman.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(944-39-A)

WHEREAS, Lawrence M. Rothman (Bronx Asphalt Company, lessee), for Tolsen Realty Company, owner, filed July 12, 1939, an appeal from a decision of the fire commissioner, affecting premises East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated June 13, 1939, reads:

"In reply to your letter of May 23rd, ult., and after an inspection by a Deputy Chief of Department, and further examination of plan papers submitted by you, you are hereby advised that your application is not acceptable for the following reasons.

1. Yard and plant shall be provided with an acceptable yard hydrant system.

2. Adequate protection shall be provided for all tanks for the storage and use of petroleum products.

3. Piping arrangements, including methods of filling tank, discharging from tank and control of fuel oil shall be shown in detail.

4. Details of construction of all tanks shall be filed.

5. Fire protection for tanks wherein petroleum products are stored shall be provided."

and

WHEREAS, it is proposed to install one 4,000 gallon and one 7,500 gallon fuel storage tank, four 5,000 gallon asphalt storage tanks, three 10,000 gallon asphalt storage tanks and one 15,000 gallon asphalt storage tank as shown on plans filed with this appeal; and

WHEREAS, this appeal was granted by the Board September 19, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on September 19, 1939, be and it hereby is amended, so that as amended it shall read:

"Resolved, that the decision of the fire commissioner, dated June 13, 1939, be and it hereby is modified and that the appeal be and it hereby is granted only so far as it has relation to the storage tanks as shown, located above ground, and as approved by the Dock Department, which has jurisdiction as evidenced by a letter addressed to the fire commissioner dated May 8, 1939, *on condition* that the piping and fire-fighting protective equipment shall be installed as required and to the satisfaction of the fire commissioner and that a complete set of plans, as approved by the Dock Department, shall be filed with the fire commissioner.

"Resolved further, that in the event the owner desires to install fuel oil storage tanks of the following capacity, in place of the tanks of the capacity previously permitted, such change in capacity may be permitted, provided the tanks are of the capacity as proposed, as follows:

1—4335 gallon tank

2—3046 gallon tank,

provided such tanks are installed substantially in the location as shown on revised plans filed, marked 'received March

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5, 1940,' and comply with the Oil Burner Rules of the Board of Standards and Appeals as to construction and installation, and in all other respects comply with the resolution as adopted September 19, 1939.

1034-39-A.
APPLICANT—Sweet and Shaw, for Childs Company, owner.
SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision—re orders of the fire commissioner.
PREMISES AFFECTED—42 East 14th street, south side, 53 ft. east of University place, 123 University place, and 39-43 East 13th street (Block No. 565, Lot Nos. 1, 2, 3 and 10), Borough of Manhattan.
APPEARANCES—
For Applicant: George E. Sweet and M. A. Legette.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh 3
Negative 0
Not Voting: Commissioner Savage 1

THE RESOLUTION—
(1034-39-A)
WHEREAS, Sweet and Shaw, for Childs Company, owner, filed August 9, 1939, an appeal from a decision—re orders of the fire commissioner, affecting premises 42 East 14th street, south side 53 ft. east of University place, 123 University place, and 39-43 East 13th street (Block No. 565, Lot Nos. 1, 2, 3 and 10), Borough of Manhattan; and
WHEREAS, Order No. 2044-LF, issued by the fire commissioner on August 18, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and
WHEREAS, Order No. 2048-LF, issued by the fire commissioner August 18, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and
WHEREAS, said orders were referred to in a decision of the fire commissioner dated July 8, 1939; and

WHEREAS, the buildings in question are 2, 3, 5 and 6 stories in height, 26 ft. 6 in. by 158 ft. 6 in. in area at first floor, of non-fireproof construction with first tier consisting of steel beams and brick arches, except over the boiler room at the East 13th street front of the building; the building was erected in 1880 and is located in a business use district and occupied: cellar, kitchen and storage 10 persons; first floor, restaurant and store, 100 persons; upper floors to remain vacant; and

WHEREAS, the various cellars have been divided by fireproof partitions and fireproof self-closing doors with automatic sprinklers connected to the domestic water supply system at each side of each door and in dumbwaiter shafts (nine heads altogether), and the entire building is equipped with an automatic fire alarm system. The first floor construction of 42 East 14th street and a part of 43 East 13th street is of steel beams and brick arches. This fireproof cellar is used as the working portion of restaurant with occupancy of ten people. All other cellars or areas are separated from this working portion and are used for low pressure boiler room and for storage, with no permanent occupancy; and

WHEREAS, this appeal was granted by the Board September 26, 1939, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted September 26, 1939, so that as amended, it shall read:

"Resolved, that the decisions of the fire commissioner, as to Orders No. 2044-LF and 2048-LF, be and they hereby are modified, and that the appeal be and it hereby is granted on condition that the sprinkler heads connected to the domestic water supply system of the building shall be maintained as proposed, one on either side of the doors of the various rooms in the cellar and one on each dumbwaiter shaft; that an additional means of access to the cellar on East 14th street and University place shall be constructed in addition to the engineer's ladder on East 13th street; that the ventilating system in the basement shall be maintained; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the storage rooms facing East 13th street shall remain vacant, except that non-inflammable material may be stored therein.

Resolved further, that in the event it is found impossible to construct the additional means of access to the cellar on East 14th street in the form of an engineer's ladder, as heretofore required, and there is also a sidewalk elevator on East 14th street giving access to the cellar, such engineer's ladder may be omitted, provided there is also installed, as part of the sprinkler equipment in the cellar, a sprinkler head on either side of the door at the stairway leading from the cellar to first story."

118-40-A.
APPLICANT—John D. Anderson, for National Gypsum Company, owner.
SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—West side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx. (Under Section 35, General City Law. re Bed of Mapped Street.)
APPEARANCES—
For Applicant: John D. Anderson.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE —
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—
(118-40-A)
WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed on January 30, 1940, an appeal from a decision of the borough superintendent of buildings, and an application for permission to erect an extension to an existing building in the bed of a mapped street (Cabot street), pursuant to section 35 of the general city law; affecting premises west side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx; and
WHEREAS, the decision of the borough superintendent, on on Alt. Applic. No. 3-40, dated January 5, 1940, reads:
"1. Obtain permission from the Board of Standards and Appeals for the proposed extension in the bed of Cabot Street. Sec. 35, General City Law."
4. Provide standpipes. Sec. C26.1381.0, Admin. Code. (16.1.1)."

and
WHEREAS, the existing building, which was built in 1928, is 60 ft. by 62 ft. in area, 77 ft. in height, with a small extension on the southeast corner, 12 ft. by 16 ft. in area; constructed of structural steel frame, galvanized corrugated sheet steel siding, ventilated steel sash, precast gypsum

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slab roof, with operating floors or platforms at several levels, of checkered steel floor plate and reinforced concrete slabs. This building also has an extension on the west side, erected in 1928, 64 ft. by 45 ft. in area, one-story in height, of the same construction. An extension 21 ft. by 75 ft. in area, 77 ft. in height was added in 1939, pursuant to permission granted by the Board of Standards and Appeals under Cal. No. 309-39-A. It is now proposed to erect an extension 38 ft. by 62 ft. in area, 77 ft. in height of similar construction at the north end of the existing calcining building, as shown on plan filed with this appeal. The entire building and extensions will be occupied for the manufacture of gypsum; and

WHEREAS, the applicant contends as to Objection No. 1, that the topographical maps show that Cabot street has not been acquired by the city; that the Board previously granted an extension to this building within the bed of a mapped street; that the erection of the proposed extension is a combination of the program of plant improvement now being carried on; that as to Objection No. 4, the area of the present building and extensions is 14,800 sq. ft.; that the area of the proposed extension will be 5,000 sq. ft., making a total of 19,800 sq. ft.; that as to Objection No. 3, every exception made to meet the requirements of the code so far is practically for a structure of this kind; that the entire building will be built of incombustible material; that as to Objection No. 4, the requirements for a standpipe system should be waived in view of the construction and occupancy of the building; and

WHEREAS, the borough superintendent has rendered a further decision dated March 6, 1940, which reads:

"6 Tube mill extension not permitted as being contrary to resolution of Board of Standards and Appeals Calendar No. 118-40-A as to area."

Resolved, that the resolution adopted by the Board on February 27, 1940, be and it hereby is *amended*, so that as amended, it shall read:

"*Resolved*, that the decision of the borough superintendent, on Alt. Applic. No. 3-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 1, so as to permit the proposed extension in the bed of Cabot street, under the powers granted the Board by section 35 of the General City Law; and *granted* as to Objection No. 3, that the building shall not be increased further in height or area, other than as now proposed, and *granted* only so long as the building as a whole is occupied for the manufacture of gypsum products and is constructed of incombustible materials throughout; that as to Objection No. 4, *on condition* that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; and on the *further condition* that the yard hydrant system for general plant protection shall be installed and maintained, connected with the city water supply mains.

Resolved further, that in the event it is desired to further extend the building hereinbefore permitted into the bed of Cabot street and also as to area, as indicated on revised plans marked 'received March 8, 1940'; that such extension may be permitted, modifying the decision of the borough superintendent of buildings as of March 6, 1940, objection No. 6."

APPLIANCE SUBMITTED FOR APPROVAL. 541-39-SA.

APPLICANT—Air Reduction Sales Company, owner.
SUBJECT—Airco Type "A" Portable Acetylene Generators, 15 lb. 30 lb. and 50 lb. capacities—approval of.
APPEARANCES—None.

ACTION OF BOARD—Appliance approved, in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(541-39-SA)

WHEREAS, the Air Reduction Sales Company, owner, for Smith Welding Equipment Company, filed on May 1, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as Airco Type A Portable Acetylene Generator 15 lb., 30 lb., and 50 lb. capacity; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

March 11, 1940.

Cal. No. 541-39-SA

Subject: Approval of Airco Type A Portable Acetylene Generators 15 lb., 30 lb., and 50 lb. capacity.

The Air Reduction Sales Company for Smith Welding Equipment Co., owner, filed May 1, 1939, an application with the Board of Standards and Appeals for approval of the Airco Type A Portable Acetylene Generator 15 lb., 30 lb., and 50 lb. capacity under the provision of C19-92.0 of the Administrative Code.

This is a portable automatic medium pressure (not over 15 lb. per sq. in.) acetylene generator for use with oxy-acetylene welding and cutting systems. It is of the carbide to water feed type using No. 14 ND (no dust) carbide. Automatic feeding of carbide is obtained by the rise and fall of pressure within the generator which actuates a flexible diaphragm connected to the feed valve rod. The design of the carbide hopper is such that it must be removed from the generator before it can be charged.

This machine is intended to be used and operated in accordance with the Regulations for the installation and operation of gas systems for welding and cutting. These regulations specify that the generator must be cleaned, recharged, and purged of acetylene air mixtures following recharging outside of buildings.

This generator is made in three sizes having carbide capacities of 15, 30 and 50 lb. and not more than 15, 30 and 50 gal. of generating water respectively. The three sizes of machines have a maximum gas generating capacity of 30, 60 and 100 cu. ft. per hr. respectively.

This generator consists essentially of the generating and gas holding chamber, the carbide hopper, the carbide feeding mechanism, the hydraulic back pressure check, the relief valve, and the necessary piping and fittings.

The distinctive marking "Type A" and the applicant's name and address (Air Reduction Sales Company, New York, New York) appear on a name plate attached to the generator.

This appliance has been approved by the Underwriters' Laboratories, Application No. 38C208SA.

This appliance was inspected and tested by a committee of the Board at the plant of the applicant at Jersey City, N. J.

As a result of this inspection and test it is recommended that the Airco Type A, Portable Acetylene Generator, 15 lb., 30 lb. and 50 lb. capacity be approved for use in New York City on condition that the generator be installed in accordance with the provisions of C.19-92.0 Administrative Code and with this report and on condition that the appliance bear a label permanently affixed reading:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 541-39-SA."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does

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hereby approve the appliance known as the Airco Type A Portable Acetylene Generator, 15 lb., 30 lb., and 50 lb. capacity, on condition that the appliance be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

811-39-SM.

APPLICANT—Treetex Corporation, owner.

SUBJECT—Application for amendment—re “Evenaire” Insulating Wallboard Lath.

APPEARANCES—None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(811-39-SM)

WHEREAS, this application for approval of a specific shipment of the material known as Evenaire Wallboard Lath was granted by the Board November 28, 1939, and applicant requested an amendment of the resolution to include approval of a specific shipment on each of the S.S. Temnaren; S.S. Danaholm and S.S. Hemland; and

WHEREAS, the request for approval for the specific shipments that arrived on S.S. Temnaren and S.S. Danaholm have been withdrawn; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 811-39-SM

Subject: Evenaire Insulating Wallboard Lath.

The Treetex Corporation of New York City filed on June 6, 1939, an application with the Board for reopening to include an approval of a specific shipment.

The case was reopened on January 16, 1940 for a specific shipment of 586,520 sq. ft. of ½ inch Evenaire Insulating Board for use as a Plaster Base which arrived on the S.S. Hemland and each package identified with marking reading “GN”.

Samples of this material were selected from this shipment by a representative of the Board and delivered to Columbia University for test in accordance with the requirements of Insulating Fibre Board Rules. The results of these tests indicate the material is suitable for use as a plaster base (See Columbia Report on Specimens tested January 31, 1940, test number not given, but identified as “H” and Columbia Report of Test February 15, 1940, Lab. Tests. Nos. 68388 and 68389, filed with this application.

On the basis of these tests the committee recommends that 586,520 sq. ft. of Evenaire Insulating Plaster Base of ½ inch thickness and identified with the mark “GN” which arrived on the S.S. Hemland, be approved for use as a plaster base when used and installed in accordance with the requirements of the Insulating Fibre Board rules of the Board of Standards and Appeals.

It is further recommended that each package be marked, tagged, labelled or stamped, reading under the mark “GN” as follows:

“Approved for use in New York City by the Board of Standards and Appeals as a plaster base under Cal. No. 811-39-SM.”

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, the report of the Committee on Tests recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 28, 1939, to include the specific shipment of Evenaire Insulating Wallboard Lath (for use as a plaster base) on the S.S. Hemland in accordance with the above report.

1107-39-SM.

APPLICANT—The Insulite Company, owner.

SUBJECT—Insulite Structural Insulation Board Products (various trade names)—approval of.

APPEARANCES—

For Applicant: G. W. Lott.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1107-39-SM)

WHEREAS, The Insulite Company has requested a reopening of this application to include approval of additional materials; and

WHEREAS, the report of the Committee on Tests on these additional materials, reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 1107-39-SM

Subject: Insulite Fibre Insulation Board.

The Insulite Co., of Minneapolis, Minn., filed a request on February 5, 1940, for the reopening of the approval granted them under the above application number to include additional materials as follows:

Satincote Interior Board, Tile Board and Plank.

This material is a building board made in thickness of ½ in., width 4 ft. 10 in. and in lengths of 12 ft. 0 in. except when furnished as Tile Board, it is cut up in 12 in. by 12 in. to 24 in. by 48 in., and when furnished in Plank, the sizes are 6 in. by 8 ft. 0 in. to 16 in. by 12 ft. 0 in., all with beveled edges and plain or interlocking joint treatment. A factory applied colored coating is applied on one side. These Satincote materials are made from ½ in. Ins-Lite, tests of which were made under the original approval.

Graylite and Sealed Lok-Joint Plaster Base.

These two plaster bases are available in thicknesses of ½ in., ¾ in., and 1 in., in widths of 18 in. and lengths of 48 in. and made of the same Graylite Board as the plaster base as originally tested except that Sealed Lok-Joint plaster base has a coating of asphalt on the side away from the plaster to resist vapor penetration, and the Graylite Lok-Joint plaster base has both surfaces in their natural finish. Both have ship-lapped long edges with 3 metal “loks” on one longedge of each unit which acts to prevent the joints from opening between the nailed members.

Acoustical Materials—Fiberlite and Acoustilite.

Both of these materials are made of the same materials as the foregoing except that the density is less. No structural uses are made of this material, its one purpose being sound deadening. It is applied to surfaces by means of acoustical cement and nailed where necessary. They are manufactured in thicknesses of ½ in. (Fiberlite) and ¾ in. (Acoustilite) and in sizes of 12 in. by 12 in. to 16 in. by 32 in. The edges are beveled, joint plain with exposed surface sprayed with a non-bridging water resistant paint.

Sound absorption tests on Fiberlite and Acoustilite on samples consisting of 72 units 12 in. by 12 in. cemented to gypsum wall board were tested by laying on the floor of a reverberation chamber, Bureau of Standards, Washington, D. C. file VI-2/Tn-87575 and 86977 with results as follows:

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Frequency (cycles per second)	Coefficient of Sound Absorption	
	Fiberlite	Acoustilite
128	0.07	0.16
256	.20	.34
512	.53	.79
1024	.77	.72
2048	.74	.69
4096	.74	.64
Noise Coefficient	.55	.65
Weight in lb. per sq.ft.	0.41	0.59

On the basis of the foregoing data, the Committee on Tests recommends reopening of the approval previously granted and adding these additional materials known as Satincote Interior Board, Satincote Tile Board, Satincote Plank for use as interior finish boards, Graylite Lok-Joint Lath, Sealed Lok-Joint Lath as plaster bases, and Fiberlite and Acoustilite as acoustical materials, when complying with the specifications herein given and under conditions as set forth herein and as given in the original approval.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

16—STANDARDS and

WHEREAS, the report of the Committee on Tests recommended reopening of this application and approval of these additional materials.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 16, 1940, approving the Insulite Fibre Board, to include the approval of the materials specified in the above report under the conditions therein set forth.

Adjourned 4:55 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on February 6, 1940, as they appeared in Bulletin No. 7, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(807-28-BZ)

WHEREAS, on April 2, 1929, the Board granted a variation, permitting the erection of a fireproof garage for more than five motor vehicles, affecting premises 40-35 Union street and 142-01 to 142-07 41st avenue (formerly 80-84 Madison avenue), northeast corner (Block No. 521 (848), Lot No. 1), Flushing, Borough of Queens; proposed garage to have a height of four stories; frontage of 77.8 ft. on Madison (41st) avenue and 109 ft. on Union street. This application was granted under sections 7e, 7g and 21, the building on the premises having been occupied as a stable and garage prior to July 25, 1916; and

WHEREAS, this four story fireproof garage was not erected; and

WHEREAS, Alfred H. Eccles, applicant, for Harry Rhodie owner, requested a reopening of the application under section 21 of the building zone resolution, to permit in a business use district the extension in area of a gasoline service station by the removal and relocation of the walls of an existing garage; and

WHEREAS, this application was granted by the Board April 2, 1929, resolution amended April 4, 1939, and owner requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 2, 1929, as amended by resolution of April 4, 1939, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting the existing garage to be altered, substantially as indicated on plans filed herein, by removing the existing front wall facing 41st avenue and constructing a new brick wall 18 feet further north, so as to provide a space thirty (30) feet in width parallel to 41st avenue, which may be used for the continuance of the sale of gasoline, *on condition* that not more than two pairs of pumps shall be erected; that such pumps shall be of the type approved for use with the Rapidayton System or similar, as approved by this Board; that no pumps shall be erected nearer than fifteen (15) feet to the building line of 41st avenue; that there shall be erected on the easterly lot line from the proposed wall to the building line of 41st avenue, a brick wall of similar face brick, not less than five (5) feet in height and suitably coped; that in front of such wall to the west, there shall be maintained a planted area, protected by a concrete curbing; that such area shall be not less than five (5) ft. in width and thirty (30) ft. in *length*; that the entire area used for the sale of gasoline shall be cement paved; that the existing curb cuts from Madison (41st) avenue and Union street shall not be increased beyond the width of 25 feet each; that the existing garage building as proposed to be altered, shall be occupied only as a garage on the 1st story; that the 2nd story shall remain vacant; that the ceiling of the first story shall be fire-retarded throughout, in accordance with the rules of the Board of Standards and Appeals; that no parking shall be carried on in the gasoline selling area and no grease pits or other equipment shall be installed other than as herein permitted, except an air pump; that no automobile repairing shall be carried on; that signs shall be restricted to permanent signs attached to the facade of the building, excluding all roof signs and temporary signs, but permitting the construction of a post standard within the building line, for supporting a sign advertising solely the brand of gasoline sold; that no portable gasoline pumps shall be used on or from the premises; *that in view of statement by applicant that all permits have been obtained and the work substantially completed, that all work shall be completed within three months from the date of this amended resolution.*"

* Correction—The word "height" deleted in line 47 of resolution and the word "*length*," substituted therefor.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, OTHER CELLULOSE PRODUCTS AND ADHESIVES AND TREATED ACOUSTICAL MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, April 12, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, other Cellulose Products and Adhesives and Treated Acoustical Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and C19-161.1 as amended by Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in C26-715.0 (12.1.1) and other places of public assembly as provided in C26-161.1, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

No combustible materials, unless flameproofed as provided in these Rules, may be used in buildings included in Rule 1.0. After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 4.0, shall meet the following requirements as to fire-retardant properties.

3.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

3.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

3.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

4.0 TESTS.

Materials and methods for flameproofing combustible materials for use under these Rules shall be approved by the Board. Tests for each specific installation of treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

4.1 SAMPLING FOR TEST SPECIMENS—Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 4.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

4.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from, at least three different places in the sample to provide a minimum of three test specimens from each sample for testing.

4.3 CONDITIONING OF TEST SPECIMENS—The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

4.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

4.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

4.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 4.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 4.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

4.7 RE-TESTS—When required by the Fire Commissioner and these Rules, flameproofed combustible materials shall be re-tested. Such re-testing shall be in accordance with the procedure for new materials as provided in these Rules.

5.0 APPROVAL AND CERTIFICATION.

Approval of flameproofed combustible materials, as provided in Rule 1.0, shall be effective for no more than one year, after which time a re-test shall be made or the material shall be re-treated and re-tested. The Fire Commissioner may require check tests at any time and material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 3.0.

5.1 MARKING—Materials that have been accepted as meeting the requirements of these Rules shall be marked with a suitable stamp, tag or label, reading as follows: "Approved as complying with the Rules for Fire Tests of Flameproofed Materials of the Board of Standards and Appeals" and including thereon the date of such approval.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$) inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4.5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.

(b) No combustible material shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
- 4.1.3 Surfacing of Booths.
- 4.1.5 Surfacing of Booths.
- 4.2.2 Maintenance of Ducts.
- 4.2.5 Electric Lighting.
- 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building,
New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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1307-39-BZ, 1322-39-BZ, 1397-39-BZ, 1463-39-BZ and
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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to March 26, 1940.

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295-40-BZ....H.B.M.....2060-2078 Broadway and 169-181 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan,
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296-40-S.....H.D.....270 Jamaica avenue, south side, 56 ft. 95/8 in. east of Hendrix street (Block No. 3919, Lot No. 13), Borough of Brooklyn,
Applic. 4157.

297-40-BZ....H.B.Bx...1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, Lot Nos. 2, 6, and 29), Borough of The Bronx,
Decision re Certificate of Occupancy.

298-40-BZ....H.B.Q.....32-06 Crescent street and 23-54 Broadway, southwest corner (Block No. 566, Lot No. 50), Astoria, Borough of Queens,
Misc. Applic. 721-40.

299-40-BZ....H.B.B.....35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1. and 73-77, inclusive), Borough of Brooklyn,
B.N. 142-40.

300-40-BZ....H.B.Bx...1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx,
N.B. 1153-40.

301-40-A.....F.D.....761-778 Seventh avenue, east side, from West 50th street to West 51st street, 159 West 50th street and 154 West 51st street (Block No. 1003, Lot No. 1), Borough of Manhattan,
21308-L.C.

302-40-A.....H.B.B.....1348-1350 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn,
Alt. 5610-39.

303-40-A.....F.D.....422-426 Knickerbocker avenue,

west side, 50 ft. north of Harman street and 253 Harman street (Block No. 3278, Lot Nos. 30, 31 and 35), Borough of Brooklyn,
4287-LF.

304-40-BZ....H.B.M.....11-15 West Eighth street, north side, 206 ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49-51, inclusive), Borough of Manhattan.
Alt. 523-40.

305-40-A.....F.D.....63-09 to 63-11 Roosevelt avenue, north side, 65 ft. 6 in. east of 63rd street and 39-09 to 39-11 63rd street (Block No. 1293, part of Lot No. 49), Woodside, Borough of Queens,
3283-LF. and Decision.

306-40-S.....H.B.M.....10-14 West 47th street, south side, 185 ft. 9 in. west of Fifth avenue (Block No. 1262, Lot Nos. 45 and 47), Borough of Manhattan,
Vio. 3944-39 and B.N.775-40.

307-40-A.....H.B.B.....220 Hamilton avenue, west side, 88 ft. 1 in. north of Luqueer street (Block No. 514, Lot No. 12), Borough of Brooklyn,
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308-40-A.....H.B.B.....51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn,
N.B. 398-40 to N.B. 407-40, inclusive.

309-40-BZ....H.B.B.....125-127 Carroll street, north side, 129 ft. west of Henry street (Block No. 349, Lot No. 32) Borough of Brooklyn,
B.N. 3859-39

310-40-SM.....U.S.G. 2 in. Steel Bound Gypsum Plank, manufactured by U. S. Gypsum Company,
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272-30-BZ....H.B.B.....440-446 Utica avenue, northwest corner of East New York avenue (Block No. 1430, Lot No. 34), Borough of Brooklyn,
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MARCH 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, March 26, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction

of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1350-39-BZ—Application, November 2, 1939, under section 21 of the building zone resolution, of Benjamin Bernstein, applicant, on behalf of Eleonora Patane, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue South (Block No. 7763, Lot No. 41), Borough of Brooklyn.

CAL. NO. 1396-39-BZ—Application, November 14, 1939, under sections 7c and 21 of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry), to permit in a business use district, the erection and maintenance of a building to be used as a Core Oven to be used in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn.

CAL. NO. 553-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Lefland Realty Company, Inc., owner, reopened November 28, 1939, under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension of a public garage, gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

CAL. NO. 1474-39-BZ—Application, December 4, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Max Wieser, owner to permit in a business use district, the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 46-40-BZ—Application, January 12, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Predor Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

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CAL. NO. 502-32-BZ—Application of Lama and Proskauer, applicants, on behalf of C. J. A. Realty Corporation, owner, reopened February 14, 1940, for consideration as to extension of time to complete work—re Application, previously granted on condition, under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

CAL. NO. 17-40-BZ—Application, January 5, 1940, under section 7h of the building zone resolution, of Max Siegel, applicant, on behalf of Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1411-39-BZ—Application, November 16, 1939, under section 21 of the building zone resolution, of Jacob J. Gloster, applicant, on

behalf of Alfonzina Giogrande, owner, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

CAL. NO. 100-40-BZ—Application, January 27, 1940, under section 60 of the multiple dwelling law and section 21 of the building zone resolution, of Seelig and Finkelstein, applicants, on behalf of Celia H. Seelig, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

CAL. NO. 1334-39-BZ—Application, October 27, 1939, under section 21 of the building zone resolution, of Austin W. Magee and A. Stanley Miller, applicants, on behalf of Bettina Franzese, owner (Paul Travis, lessee), to permit in a business use district the alteration and change of occupancy of an existing building to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block

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No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

290-40-A—36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond.

1488-21-A—21-07 41st (Wilbur) avenue, north side, 100 ft. west of 22nd street (Block No. 410, Lot No. 46), Long Island City, Borough of Queens.

1316-39-A—52-15 Flushing avenue, northwest side, 113 ft. southwest of 54th street (Block No. 2319, Lot No. 22, Block No. 2320, Lot Nos. 28 and 23 and Block No. 2324, Lot No. 50), Maspeth, Borough of Queens.

63-40-A—6 Gansevoort street, south side, 99 ft. west of 4th street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan.

276-40-A—324 Avenue "A" and 500 East 20th street, southeast corner (Block No. 977, Lot No. 54), Borough of Manhattan.

70-40-A—79 Fifth avenue and 2-8 East 16th street, south east corner (18th floor—penthouse); (Block No. 843, Lot No. 45), Borough of Manhattan.

103-40-A—294-296 Bowery, west side, 88 ft. 6 in. north of East Houston street (Block No. 521, Lot Nos. 84 and 85), Borough of Manhattan.

108-40-A—772-786 Broadway, east side, entire block from East 9th street to East 10th street, 71-91 East 9th street, 60-74 East 10th street and 60-74 Fourth avenue (Block No. 555, Lot No. 1), Borough of Manhattan.

109-40-A—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

273-40-A—166-02 to 166-08 Jamaica avenue and 92-01 to 92-07 166th street southeast corner (Block No. 1169, Lot No. 1), Jamaica, Borough of Queens.

271-40-A—2325 West street, east side, 220 ft. south of Avenue "W" (Block No. 7176, Lot No. 67), Borough of Brooklyn.

291-40-A—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

221-40-A—West side of Cabot street to 138 ft. west of west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 3 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

288-40-A—45-66 195th street, northwest corner of 46th avenue (Block No. 5536, Lot No. 41), Flushing, Borough of Queens.

284-40-A—90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens.

APRIL 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1310-39-BZ—Application, October 25, 1939, under section 21 of the building zone resolution, of Richard E. Carey, applicant, on behalf of Eva B. Smith, owner (Joseph Brown, lessee), to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.

CAL. NO. 1483-39-BZ—Application, December 7, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of East River Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.

CAL. NO. 68-40-BZ—Application, January 19, 1940, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles: premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Inc., and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened June 20, 1939, under section 21 of the

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building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, southeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 1492-39-BZ—Application, December 9, 1939, under sections 7h and 21 of the building zone resolution, of Newburgh Savings Bank, applicant and owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405-A (1399), Lot No. 125), Borough of Brooklyn.

CAL. NO. 574-39-BZ—Application, May 5, 1939, under sections 7b and 21 of the building zone resolution, of Ridgewood Savings Bank, applicant and owner (E. K. Demmel, lessee), to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

CAL. NO. 1532-39-BZ-WF—Application, December 22, 1939, under section 7h of the building zone resolution, of Stanley H. Hemley, applicant, on behalf of Kew Gardens Corporation, owner (August Meyers, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

235-40-A—17 Leonard street, north side, 213 ft. 9½ in. east of Hudson street (Block No. 179, Lot No. 50), Borough of Manhattan.

301-40-A—761-778 Seventh avenue, east side, from West 50th to West 51st streets, 159 West 50th street and 154 West 51st street (Block No. 1003, Lot No. 1), Borough of Manhattan.

151-40-A—37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens.

178-40-A—2914-2916 Third avenue, east side, 81 ft. 3 in. south of East 152nd street, and 607 Bergen avenue (Block No. 2362, Lot No. 13), Borough of The Bronx.

225-40-A—37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens.

239-40-A—108 Park Row, west side, 74 ft. 10½ in. north of Duane street (Block No. 159, Lot No. 57), Borough of Manhattan.

281-40-A—112 Worth street, south side, 59 ft. 2 in. west of Elm street (Block No. 157, Lot No. 18), Borough of Manhattan.

305-40-A—63-09 to 63-11 Roosevelt avenue, north side, 65 ft. 6 in. east of 63rd street, and 39-09 to 39-11 63rd street (Block No. 1293, part of Lot No. 49), Woodside, Borough of Queens.

286-40-A—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

292-40-A—304 West 67th street, south side, 100 ft. west of West End avenue (Block No. 1178, Lot No. 37), Borough of Manhattan.

302-40-A—1348-1350 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

307-40-A—220 Hamilton avenue, west side, 88 ft. 1 in. north of Luqueer street (Block No. 514, Lot No. 12), Borough of Brooklyn.

313-40-A—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

311-40-A—Blocks bounded by 263rd street, Long Island Motor Parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive, Lot Nos. 1, 2, 8, etc.), Creedmore, Borough of Queens (Hillside Hospital).

Variation of the Labor Law.

287-40-S—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

APRIL 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under

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sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

3, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1516-39-BZ—Application, December 18, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of New York City Society of the Methodist Episcopal Church, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Grand Concourse boulevard and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert G. Zetsche, applicants, on behalf of Sheffield Farms Company, Inc., owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 9, 1940, 2 P. M.

Appeals from Administrative Decisions.

320-40-A—334 Water street, north side, 48 ft. 6½ in. east of Roosevelt avenue (Block No. 110, Lot No. 40), Borough of Manhattan.

321-40-A—383 Water street, south side, 60.5 ft. west of Catherine Slip (Block No. 251, Lot No. 23), Borough of Manhattan.

328-40-A—262 Water street, west side, 70 ft. north of Pecks Slip (Block No. 106, Lot No. 8), Borough of Manhattan.

334-40-A—North side of Northern boulevard, Flushing River (Block No. 30, Lot No. 1), Corona, Borough of Queens.

341-40-A—148-54 Ashland place, southwest corner of Lafayette street (Block No. 2087, Lot Nos. 25 and 23), Borough of Brooklyn.

CAL. NO. 897-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Nordlinger, Riegelman and Cooper, applicants, on behalf of Adolph Lewisohn & Sons, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan.

CAL. NO. 1479-39-BZ—Application, December 5, 1939, under section 21 of the building zone resolution, of Israel G. Seeger, applicant, on behalf of Luisa Prisco, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483-A, Lot Nos. 53 and 54), Borough of Brooklyn.

CAL. NO. 1529-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn.

CAL. NO. 1552-39-BZ—Application, December 29, 1939, under section 7h of the building zone resolution, of Antonie Sikora, applicant and executrix of Estate of Ludwig Sikora, deceased, as mortgagee in possession, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-15 Crescent street, northeast corner of 33rd avenue (Ridge street); (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens.

CAL. NO. 1025-39-BZ—Application of Frank Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, reopened January

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343-40-A—218-27 Jamaica avenue, south side, 18 ft. west of 219th street (Block No. 1645, Lot No. 36), Queens Village, Borough of Queens.

242-40-A—617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan.

244-40-A—371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2085, Lot No. 1), Borough of Brooklyn.

338-40-A—Southeast corner of East 151st street and Exterior street (Block No. 2497, Lot No. 34), Borough of The Bronx.

329-40—173-04, 173-08 and 173-12 47th avenue southeast corner of Fresh Meadow lane and south side of 47th avenue, 49.48 ft. and 89.48 ft. east of Fresh Meadow lane (Block No. 5585, Lot No. 6), Flushing, Borough of Queens.

330-40—173-03, 173-07 and 173-11 47th avenue, northeast corner of Fresh Meadow lane and north side of 47th avenue, 50.62 ft. and 90.62 ft. east of Fresh Meadow lane (Block No. 5583, Lot No. 10), Flushing, Borough of Queens.

Variations of the Labor Law.

318-40-S—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

322-40-S—192 Broadway and 1-11 John street, northeast corner (Block No. 79, Lot No. 15), Borough of Manhattan.

323-40-S—13 East 16th street, north side, 241.10 ft. east of Fifth avenue (Block No. 844, Lot No. 10), Borough of Manhattan.

324-40-S—14 East 17th street, south side, 216 ft. east of Fifth avenue (Block No. 844, Lot No. 34), Borough of Manhattan.

325-40-S—16 East 17th street, south side, 241 ft. east of Fifth avenue (Block No. 844, Lot No. 33), Borough of Manhattan.

326-40-S—20 East 17th street, south side, 291 ft. east of Fifth avenue (Block No. 844, Lot No. 31), Borough of Manhattan.

APRIL 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—

re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

CAL. NO. 1238-39-BZ—Application, October 6, 1939, under section 21 of the building zone resolution, of Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, applicants, on behalf of New York City Housing Authority (U. S. Housing Project NY 5-3), owner, to permit in a residence use district the maintenance of a garage for three (3) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers; 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

CAL. NO. 1129-27-BZ—Application of Oscar Lowinson, applicant, on behalf of Renweis Holding Corporation, owner, reopened February 21, 1939, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan.

CAL. NO. 292-17-BZ—Application of Van Wart and Ackerman, applicant, on behalf of The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation owners, reopened February 27, 1940 under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1408-39-BZ—Application, November 16, 1939, under sections 7c and 21 of the building zone

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resolution, of Irving Kirshenblit, applicant, on behalf of Lydia D. Backus, owner (Edward Aibel, lessee), to permit in a business use district the extension of an existing gasoline service station and accessory buildings; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.
HARRIS H. MURDOCK, *Chairman*.

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940*, at 10 o'clock, in Room 1013, Municipal building, Manhattan, on the following matters:

CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h

of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

CAL. NO. 95-40-BZ—Application, January 27, 1940, under section 7h of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No.

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1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.

APRIL 23, 1940, 2 P. M.

Appeal from Administrative Decision.

CAL. NO. 167-40-BZ—Application, February 13, 1940, under sections 7c and 21 of the building zone resolution, of Albert Mayer and Julian H. Whittlesey, applicants, on behalf of 240 Central Park South, Inc., owner, to permit, partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class "A" multiple dwelling having business use (stores and restaurant) on the first story; premises 232-240 Central Park South, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot No. 58), Borough of Manhattan.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

APRIL 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 282-35-BZ—Application of Paul Friedman, applicant, on behalf of Bay Parkway Holding Corporation, owner, reopened for rehearing on alleged new facts January 30, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court); premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

CL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1422-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of J. & P. Development Corporation, owner, to permit in a residence use district the creation and maintenance of a gasoline service station, lubritorium, auto laundry and office; premises 133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1501-39-BZ—Application, December 13, 1939, under section 21 of the building zone resolution, of James R. Curreri, applicant, on behalf of R. Marinelli, owner, to permit in a residence use district the erection and maintenance of a business building (two (2) stores) and, also, the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 177-40-BZ—Application, February 14, 1940, under sections 7b and 7c of the building zone resolution, of H. I. Feldman, applicant, on behalf of Bonvenu Corporation, owner, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises 17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

CAL. NO. 1242-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Alken Realty Corporation, owner (Shell Oil Company, Inc., lessee), to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

HARRIS H. MURDOCK, *Chairman.*

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MAY 3, 1940, 10 A. M.

Rules.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

MAY 7, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, May 7, 1940*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MARCH 19, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, February 20, 1940; the minutes of the regular meeting of the Board held on Tuesday afternoon, February 20, 1940, and the minutes of the special meeting of the Board held on Friday morning, February 23, 1940, were approved as printed in Bulletin No. 9, Vol. 25.

BUILDING ZONE CASES.

855-27-BZ.

APPLICANT—Shell Oil Company, Incorporated (lessee), for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new facts December 5, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance and reconstruction of a gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Louis M. Leisinger.

For Opposition: None.

ACTION OF BOARD—Laid over to April 2, 1940, at 10 A.M., so that applicant may submit new plans.

46-40-BZ.

APPLICANT—Theodore F. Price, for Predor Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 60 of the multiple dwelling law and section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only.

PREMISES AFFECTED—Southwest corner of West 236th street and Cambridge avenue (Block No.

3409-F, part of Lot No. 433), Borough of The Bronx.

APPEARANCES—

For Applicant: Theodore F. Price.

For Opposition: None.

ACTION OF BOARD—Laid over to March 26, 1940, at 10 A.M. Applicant to file revised plans.

1426-39-BZ.

APPLICANT—Lama and Proskauer, for Leon G. Wertheimer, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—331 Morris Park avenue, northeast corner of East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

328-39-BZ.

APPLICANT—Joseph Sliva (lessee), for Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

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APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(328-39-BZ)

WHEREAS, Joseph Sliva (lessee), for Chase National Bank of the City of New York, trustee for May Lillian de Rugiero and guardian for Robert Howard Cook, owners, filed March 15, 1939, an application under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 75th street and East 76th street are in unrestricted, business and residence use districts; that York avenue is in a residence use district; that First avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 21, 1938, and as amended March 9, 1940, reads:

"In answer to your letter requesting an extension of time in which to appeal to the Board of Standards and Appeals on our denial of September 21, 1938, and explaining that the thirty day requirement has expired, you are advised that this department has no authority to extend such time and our denial of September 21, 1938, is therefore repeated:

'Your application for a certificate of occupancy for the parking and storage of more than five motor vehicles for the above premises has been denied as this occupancy is prohibited by Article 2, Section 4, sub-division 15 of the Zoning Resolution as the premises are located partly in a business district and partly in an unrestricted district.'

and

WHEREAS, the premises consist of a plot of ground having a frontage of 25 ft. and a depth of 102 ft.; the westerly portion of the plot extends for a distance of 12 ft. into a business use district and the remainder of the plot is in an unrestricted use district; it is proposed to use the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, no proof of service has been filed with the papers, although applicant was notified to do so; and

WHEREAS, there was no appearance for applicant at this meeting.

Resolved, that the application be and it hereby is *dismissed for lack of prosecution*.

822-39-BZ-WF.

APPLICANT—Herbert C. Drescher, for Lab Holding Corporation, owner (Kemps Restaurant, lessee).

SUBJECT—Application—re decision of the borough superintendent of buildings, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than

two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18, and part of Lot No. 15), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Herbert C. Drescher and Herman Kempler.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(822-39-BZ-WF)

WHEREAS, Herbert C. Drescher (Kemps Restaurant, lessee), for Lab Holding Corporation, owner, filed June 20, 1939, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 49-11 Lawrence street, southeast corner of Avery avenue (Block No. 5105, Lot No. 18, and part of Lot No. 15), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lawrence street is in a business and residence use district; Avery avenue is in residence, business and unrestricted use districts; Blossom and Crommelin avenues are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Misc. Applic. No. 4194-1939, dated June 19, 1939, reads:

"The use of these premises as a parking lot for more than five motor vehicles in a business use district and extending into a residence district is contrary to Art. 2, Sections 3 and 4, subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 95 ft. on Lawrence street, 70 ft. on Avery avenue and 119 ft. on Blossom avenue; the northerly portion of the plot is in a business use district and the remainder is in a residence use district; upon the northerly portion of the plot there is located a restaurant; it is proposed to occupy the remainder of the plot, for a temporary period of not more than two (2) years, for the transient parking of more than (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, to permit that portion of the plot now unbuilt upon and within the business use area, to be used for the parking of automobiles, restricted solely to such parking of cars as belong to the patrons of the restaurant, and for which no fee is to be charged; that the plot shall be leveled substantially to the grade of Lawrence street and Avery avenue, and shall have erected on the interior lot lines a substantial

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fence to separate same from the adjoining property and the balance of Lot No. 15 under this ownership; that no signs shall be erected on the plot, advertising the parking use, except there may be a sign erected near the building line, not over 15 sq. ft. in area, advertising free parking for patrons only; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved completed within three months from the date of this resolution.

1236-39-BZ.

APPLICANT—Robert J. Reiley and Charles C. Reiley, owners (Otto A. Bradman and John Resto, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Richard Casey and Charles C. Reiley.

For Opposition: John V. Higgins, Morton S. Coan and Milton Kleinman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(1236-39-BZ)

WHEREAS, Robert J. and Charles C. Reiley, owners (Otto A. Bradman and John Resto, lessees), filed October 10, 1939, an application under section 7h of the building zone resolution, to permit, partly in a business and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 510 East 164th street, south side, 89.99 ft. west of Third avenue, and 3275-3279 Third avenue, west side, 48 ft. south of East 164th street (Block No. 2368, Lot Nos. 28, 32, 33 and 34), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Third avenue and Boston road are in business use districts; Washington avenue is in an unrestricted use district; East 164th street is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 18, 1939, reads:

"Please be advised that your application for a certificate of occupancy for use of the above premises for the parking and storage of more than five motor vehicles, is denied, as the premises are located partly in a business district and partly in an unrestricted district, as established by the Amended Building Zone Resolution.

Section 4, Article 2 of the Building Zone Resolution prohibits the parking of more than five (5) motor vehicles in a business district."

and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 45 ft. on East 164th street, 72

ft. 8 in. on Third avenue and a distance of 171 ft. along the south lot line; the westerly portion of the plot extends for a maximum distance of 72 ft. into the unrestricted use district; the remainder of the plot is in a business use district; it is proposed to occupy the vacant portion of the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles, and, also, to store cars under the first story extension of some of the buildings on the Third avenue front of the plot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the portion of the premises in the business area for parking and storage of motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed, and that the application be and it hereby is denied.

1307-39-BZ.

APPLICANT—Joseph J. Furman, for Peter Schmuck and 346 West 44th Street Realty Corporation, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and B area district the erection and maintenance of a building to be used as stores, film exchange factory and offices, and, also, the omission of the required rear yard (Amended as to application for use of part of premises for parking and storage of more than five (5) motor vehicles).

PREMISES AFFECTED—332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur B. Krim, Arthur J. O'Leary, Joseph J. Furman, A. Taggard and Louis Karnoa.

For Opposition: James M. Grady, Lee H. Burton, Alfred H. Strauss and Ellen Kelly.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Not Voting: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(1307-39-BZ)

WHEREAS, Joseph J. Furman, for Peter Schmuck and 346 West 44th Street Realty Corporation, owners, filed March 6, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district and "B" area district the erection and maintenance of a building to be used as stores, film exchange factory and offices and also, the omission of the required rear yard (Amended as to application for use of part of premises for parking and storage of more than five (5) motor vehicles); premises 332-346 West 44th street, south side, 225 ft. east of Ninth avenue (Block No. 1034, Lot Nos. 48, 49, 53 and 54), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 44th street is in a residence and retail use and B area district; that West 43rd street, Eighth avenue and Ninth avenue are in retail use and B area districts; and

WHEREAS, the decision of the borough superintendent of

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buildings, on Applic. No. 59-1940, dated March 4, 1940, reads:

"1. Film storage, offices and factory building in residence district is unlawful. Art. 2, sub. 3, Building Zone Resolution.

2. A lawful rear yard is required in a B district, Art. 4, Subd. 12, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 197 ft. and a depth of 100 ft. 4 in. with a 10 ft. alley on the west lot line and a 15 ft. alley along the east lot line; upon the plot are located several structures (as shown upon filed plans) which are to be demolished; it is proposed to erect upon the site a fireproof building, six (6) stories in height, 172 ft. by 100 ft. 5 in. in area and to occupy the building as stores, film exchange, factory and offices; it is also proposed to omit the required rear yard on the first story and request the modification of the area requirements for the projection of the sixth story (as shown on filed plans); and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, in that there is a unique hardship present, and was, therefore, entitled to relief on the grounds of unnecessary hardship and practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the building, as proposed, to be constructed, *on condition* that the building shall not be increased in height and area and shall not be used for purposes other than as generally proposed; that no signs shall be erected on the roof; that no signs shall be erected on the front of building except signs near the entrance and on the stores, advertising these uses therein and the general purpose of the building; that the building shall be sprinklered throughout with an approved, two-source system; that the 15 ft. alley as shown to the east and the 10 ft. alley as shown to the west shall be maintained at all times; that all windows and doors opening to such alleys shall be fireproof and self-closing; that an off-street area shall be provided for the unloading and loading of merchandise and equipment; that such off-street loading space shall be capable of providing for not less than two (2) trucks within the building line; that there shall be no film storage vaults located within a distance of one bay from either side wall of the building; that this building shall comply in all other respects as to zoning with the requirements for a similar plot within a retail use and B area district; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto, and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

1322-39-BZ.

APPLICANT—William I. Hohauser, for Clinton Estates, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn.

APPEARANCES—

For Applicant: William I. Hohauser and W. C. Vladeck.

For Opposition: Frank M. Walsh.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1322-39-BZ)

WHEREAS, William I. Hohauser, for Clinton Estates, Inc., owner, filed October 26, 1939, an application under section 7h of the building zone resolution, to permit in a retail use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 132-144 Centre street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Centre street and Court street are in unrestricted and business use districts; Clinton street is in a retail, business and residence use district; Bush street is in an unrestricted and retail use district; and

WHEREAS, the decision of the borough superintendent, on B.N. Applic. No. 7446-39, dated October 23, 1939, and as amended February 29, 1940, reads:

"Inasmuch as this application is for the purpose of using premises within a retail district for the parking and storage of more than five motor vehicles the proposed use would be contrary to Article II, Section 4-A, of the Building Zone Resolution. The application is therefore denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 160 ft. on Clinton street and 119 ft. on Centre street; it is proposed to occupy the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1397-39-BZ.

APPLICANT—Cafiero and Lacerenza, for Fannie Silverman, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oscar William Swift.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

MINUTES

Negative: Chairman Murdock, Commissioners
Savage and Blum 3
Not Voting: Assistant Chief McCarthy 1

THE RESOLUTION—

(1397-39-BZ)

WHEREAS, Cafiero and Lacerenza, for Fannie Silverman, owner, filed November 14, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); premises 1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 16th and East 17th streets are in residence and unrestricted use districts; Neck road is in a residence, unrestricted and business use district; Avenue W is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 1409-39, dated November 9, 1939, reads:

"1. Application denied—zone has been changed to residential and proposed commercial building is prohibited in accordance with Art. II, Section 3 of the Zoning Resolutions."

and

WHEREAS, the proposed building is of non-fireproof construction, on story in height, with a frontage of 104 ft. 6 in. on Neck road and 50 ft. on East 16th street, irregular in area; it is proposed to occupy the building as a retail food market and three (3) retail stores; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 1409-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1463-39-BZ.

APPLICANT—Sidney L. Strauss, for Temple Gates of Prayer (Congregation Shaari Tefilla), owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities.

PREMISES AFFECTED—143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss, Nathan Heller and Rev. Abraham Dubin.

For Opposition: Gerald H. Murphy, J. Hart Pease, Florence Wilken, A. H. Brown, John W. Dobson, H. H. Wright, Helen C. Van Nostrand and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

McCarthy 4

THE RESOLUTION—

(1463-39-BZ)

WHEREAS, Sidney L. Strauss, for Temple Gates of Prayer (Congregation Shaari Tefilla), owner, filed November 30, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the maintenance of the basement story of an existing building as auditorium and dance floor used for rent outside of congregational activities; premises 143-51 Roosevelt avenue, north side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt avenue, 38th avenue, Parsons boulevard and Bowne street are in residence use districts; and

WHEREAS, the decision of the borough superintendent, on on Misc. Applic. No. 162-1939, dated November 15, 1939, reads:

"The use of building as auditorium and dance floor used for rent outside of congregational activities is contrary to Art. 1, Sec. 3 (Residential district) Building Zone Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, 42 ft. frontage by 122 ft. 8 in. in depth, one story and basement in height; it is proposed to occupy the basement of the existing auditorium and school building as an auditorium and dance floor used for rent outside of congregational activities, and the first floor to be used as class rooms; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1468-39-BZ.

APPLICANT—Harry B. Lindberg, for Borden's Farm Products Division of The Borden Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 7e of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Harry B. Lindberg and George H. Metzler.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(1468-39-BZ)

WHEREAS, Harry B. Lindberg, for Borden's Farm Products Division of Borden Company, owner, filed December 2,

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1939, an application under sections 7a and 7e of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 92-02 to 92-10 182nd place, 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business use district; that 182nd place and 181st street are in unrestricted and business use districts; that 93rd avenue is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 2600-39, dated November 3, 1939, reads:

"1. The erection of a public garage in a business district is contrary to Art. 2, Section 4 of the Building Zone Resolution.

Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 171 ft. 5 in. on Jamaica avenue, 198 ft. 10 in. on 182nd place, 235 ft. on 93rd avenue and 100 ft. on 181st street; occupied as a milk distributing plant; upon the plot there is located a one and two-story fireproof structure, having a frontage of 100 ft. on 182nd place and 157 ft. 4 in. on 93rd avenue and also a three-story non-fireproof building having a frontage of 30 ft. on 182nd place and a depth of 168 ft. 4 in. used as a garage for more than five (5) motor vehicles on the first story, stable for more than five (5) horses on the second story, and for hay and feed storage on the third story; to the north of this latter building is a wagon shed; it is proposed to erect upon the wagon yard portion of the plot a one-story garage for more than five (5) motor vehicles, having a frontage of 68 ft. 10 in. on 182nd place and 171 ft. 5 in. on Jamaica avenue, as shown upon filed plans; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the existing garage and stable, as proposed on plans filed herewith, *on condition* that the building shall not be further increased in height and area; that the arrangement and design shall be substantially as indicated on such filed plans; that the entrance to the proposed addition shall be solely from 182nd place; that the stable used in the extension, as permitted by the Board under Cal. No. 930-21-BZ, shall be discontinued and no stable maintained on any part of the premises; that no storage of gasoline shall be installed within the proposed extension; that no sign shall be erected on the roof; that signs, if any, shall be restricted to permanent signs attached to the facade of the proposed extension; that no cellar shall be constructed under this proposed extension; that the garage as proposed shall be used solely for the use and storage of automobiles belonging to the Borden Farm Products Company or their successors; that in all other respects the occupancy and use shall comply with all other laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

Adjourned, 3:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MARCH 19, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

85-39-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in the City of New York, owner.

SUBJECT—Application for consideration—reopening and rehearing—(re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied under section 7h).

PREMISES AFFECTED—688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2 to 6, inclusive, and 62), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

310-39-BZ.

APPLICANT—Alexander Ketterson, for Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—249-253 West 53rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

0
4

85-38-BZ.

APPLICANT—Manhart, Incorporated, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—617-633 East New York avenue and 477-483 Kingston avenue, northwest corner (Block No. 1333, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

MINUTES

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(85-38-BZ)

WHEREAS, Manhart, Inc., owner, filed on February 11, 1938, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 617-633 East New York avenue and 477-483 Kingston avenue, northwest corner (Block No. 1333, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in the case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

787-19-BZ.

APPLICANT—S. Oberwager, for Park Slope Chevrolet, Inc., lessee.

SUBJECT—Application for reopening—amendment of resolution—re Application under the building zone resolution, to permit in a business use district the erection of a garage for more than five (5) motor vehicles (previously granted by the Board).

PREMISES AFFECTED—343-361 Fourth avenue, east side, from Fourth street to Fifth street, Borough of Brooklyn.

APPEARANCES—

For Applicant: S. Oberwager.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(787-19-BZ)

WHEREAS, this application to permit in a business use district the erection of a garage for more than five (5) motor vehicles; premises 343-361 Fourth avenue, east side, from Fourth to Fifth streets, Borough of Brooklyn, was granted by the Board November 25, 1919; and

WHEREAS, the owner, through his representative, requested an amendment of the resolution, as to signs.

Resolved, that the resolution adopted by the Board on November 25, 1919, be and it hereby is *amended* so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the exterior walls of the building fronting on Fourth and Fifth streets shall be constructed of pressed brick with stone trim and of ornamental character; that there shall be no exit on either of these streets, except a fire exit not exceeding 3 ft. 8 in. in width; that any windows in these walls shall have their sills placed at least six feet above the level of the sidewalk.

Resolved further, that in the event the garage use as hereinabove permitted is discontinued, nothing shall be deemed to interfere with the maintenance of a conforming use, provided such use meets the requirements of the zoning resolution therefor."

1304-25-BZ.

APPLICANT—Ida Berman, for Samuel Berman, owner.

SUBJECT—Application for consideration—reopening and

extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the change of occupancy of an existing building to a motor vehicle repair shop and, also, garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—2447 Coney Island avenue, east side, 301 ft. north of Avenue V (Block No. 7343, Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Berman.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1304-25-BZ)

WHEREAS, this application affecting premises 2447 Coney Island avenue, east side, 301 ft. north of Avenue V (Block No. 7343, Lot No. 61), Borough of Brooklyn, was granted by the Board for a temporary period of two years, June 12, 1928, and the permit extended from time to time, and owner requests a further extension.

Resolved, that the resolution adopted by the Board on May 15, 1934, be and it hereby is *amended* only so far as it has reference to the term of the permit, so that as amended this portion of the resolution will read:

"Granted under section 21 for a temporary period of two years from the date of this amended action and that other than as to term as herein permitted the resolution adopted on May 15, 1934, shall be complied with."

146-37-BZ.

APPLICANT—Lama and Proskauer, for Paolo Grasso, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 7c of the building zone resolution, permitting in a business use district the conversion of occupancy of the basement story of an existing building to business use (store).

PREMISES AFFECTED—52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(146-37-BZ)

WHEREAS, Lama and Proskauer, for Paolo Grasso, owner, filed March 25, 1937, an application under the building zone resolution, to permit in a business and residence use district the conversion of occupancy of the basement story of an existing building to business use (store); premises 52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board March 25, 1938, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

MINUTES

Resolved, that the resolution adopted by the Board on October 26, 1937, be and it hereby is *amended*, only so far as it has reference to the completion of the work, so that as amended this portion of the resolution will read:

"that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

151-37-BZ.

APPLICANT—Walter D. Wilkes (lessee), for South Brooklyn Railway Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting for a temporary period of not more than two (2) years, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—365-373 Ralph avenue, northeast corner of Pacific street (Block No. 1431, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. W. Vanness.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(151-37-BZ)

WHEREAS, Walter D. Wilkes (lessee), for South Brooklyn Railway Company, owner, filed April 3, 1937, an application under the building zone resolution to permit for a temporary period of not more than two (2) years, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 365-373 Ralph avenue, northeast corner of Pacific street (Block No. 1431, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board March 11, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 11, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, for a period of two years, from the date of this action as to the portion of the premises in the business district, and under section 21, for a period of two years, from the date of this *amended resolution* as to the premises in the residential district, to permit the use as proposed for parking and storage of more than five motor vehicles, on condition that the plot shall be generally levelled and surfaced with steam cinders or other suitable material, properly bound and rolled so as to prevent dusting, and graded so as to provide surface drainage; that on lot lines where walls of adjoining buildings do not occur there shall be erected a substantial woven-wire fence, continuously with no openings other than to Pacific street, as indicated on plans filed with this appeal; that such openings shall not exceed 15 ft. in width, with curb cut opposite 15 ft. in width; that parking and storage of cars shall be limited to automobiles of the passenger type of cars and shall be so parked that proper aisles shall be maintained for proper entrance and exit of cars; that no signs shall be displayed on the premises, except a sign at the entrance, advertising the use and rate charged;

all other existing signs shall be completely removed, and that during this variance no other use shall be permitted and no buildings shall be erected on the premises other than a building at the entrance for an office and shelter of the attendant, this building not to exceed 100 sq. ft. in area and one story in height; that any lights for general illumination shall be equipped with metal reflectors, reflecting toward the centre of premises and away from adjoining occupancies; that such portable fire appliances shall be installed as the commissioner shall direct, and that all permits shall be obtained and all work shall be completed within two months from the date of this action."

334-37-BZ.

APPLICANT—The New York Central Railroad Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—412-414 Lexington avenue, west side, opposite East 43rd street (Block No. 1280, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Gerald D. Dwyer.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(334-37-BZ)

WHEREAS, L. C. James, for The New York Central Railroad Company, owner, filed June 30, 1937, an application under the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 412-414 Lexington avenue, west side, opposite East 43rd street (Block No. 1280, Lot No. 54), Borough of Manhattan; and

WHEREAS, this application was granted by the Board March 4, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 4, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a period of two years from the date of this *amended resolution*, to permit that portion of Lot 54 with a frontage of 45 feet on Lexington avenue and a depth of 150 feet to be used for transient parking of more than five motor vehicles of the pleasure car type, on condition that the sidewalks, as indicated, shall be maintained on both sides, continuously from Lexington avenue to the rear at the west and that such cars shall be so parked that this sidewalk passageway on both sides shall be maintained at all times; that no signs shall be displayed except a neat sign at the entrance, indicating parking use; that all permits required shall be obtained within three months from the date of this action."

360-37-BZ.

APPLICANT—John J. McNamara, for Long Island Railroad Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the

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building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the storage and parking of more than five (5) motor vehicles.

PREMISES AFFECTED—26 Stewart street and 63 Conway street, west side, 148 ft. 6¼ in. north of Broadway (Block No. 3474, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. McNamara and Mr. Williams.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(360-37-BZ)

WHEREAS, John J. McNamara, for Long Island Railroad Company, owner, filed July 13, 1937, an application under the building zone resolution, to permit, for a temporary period of not more than two (2) years, the storage and parking of more than five (5) motor vehicles; premises 26 Stewart street and 63 Conway street, west side, 148 ft. 6¼ in. north of Broadway (Block No. 3474, Lot No. 15), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board March 25, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on March 25, 1938, be and it hereby is amended, only so far as it has reference to the term of the permit, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7h, permitting the plot under appeal to be used for a temporary period of two years from the date of this amended resolution for the parking and storage of more than five (5) motor vehicles, on condition that the entrance shall be exclusively from Conway street; that a fence shall be maintained across the property on the Stewart street building line; that proper aisles shall be maintained at all times so as to permit ready exit and entrance for automobiles; that during the term of this variance no buildings shall be erected on the premises; that no signs shall be erected except at the entrance to Conway street, advertising the parking and storage use; that a substantial fence or barricade shall be maintained along the interior lot lines to exclude extension of this use to adjoining premises."

479-37-BZ.

APPLICANT—Clifford B. Marshall, for Emery Herleth and Carol Herleth, lessees, for James F. Sullivan, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-58 163rd street (Hardenbrook avenue), west side, 247 ft. north of Jamaica avenue (Block No. 836, Lot No. 76), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clifford B. Marshall.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(479-37-BZ)

WHEREAS, Emery Herleth and Carol Herleth, lessees, for James F. Sullivan, owner, filed October 8, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-58 163rd street (Hardenbrook avenue), west side, 247 ft. north of Jamaica avenue (Block No. 836, Lot No. 76), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board April 5, 1938, on certain conditions, and applicant requested an amendment of the resolution, and now requests an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of April 5, 1938, only so far as it refers to fencing, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7h, permitting the plot under appeal to be used for a temporary period of two years from the date of this amended resolution for transient parking of more than five (5) motor vehicles of the pleasure-car type, on condition that the plot shall be leveled substantially to the grade of 163rd street and shall be surfaced with steam cinders or similar material, suitably rolled and bound to prevent dusting and graded to permit surface drainage; that there shall be erected on the interior lot lines where walls of adjacent buildings do not occur, a substantial woven wire fence not less than 6 ft. high and a similar fencing on the street line with not more than two openings to 163rd street, not exceeding 15 ft. in width each, except that an opening not exceeding 50 ft. may be left at the rear for access to the rear yards of adjoining premises, Lots 14 and 15, but that the parking herein permitted on Lot 76 shall not be extended to those lots; that the plot under appeal shall be used for no other purpose other than as herein permitted; that no building shall be erected thereon except a small building, one story in height, 150 sq. ft. in area, as office and shelter for the attendant; that such portable fire-fighting appliances shall be maintained as the commissioner shall direct; that any lights for general illumination shall be so installed with metallic reflectors so as to reflect away from adjoining occupancies; that all permits shall be obtained and all work completed within three months from the date of this action."

APPEALS FROM ADMINISTRATIVE DECISIONS.

32-40-A.

APPLICANT—Edward C. O. Thomas, for Ralph H. Beard, Guardian of Mary Beard (an infant), owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1211-1215 De Kalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lillian Earley.

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For Administration: Thomas A. Larkin, Fire Department.
ACTION OF BOARD—Laid over to March 26, 1940, at 2 P.M., upon request of applicant's representative.

241-40-A.

APPLICANT—Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to date set for the hearing of Cal. No. 215-40-BZ.

1348-39-A.

APPLICANT—Edward H. and Edna C. Romaine, adjoining property owners.

OWNER OF PREMISES—Charles and Thomas Costa.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings (re Revocation of Alt. Applic. 2415-39).

PREMISES AFFECTED—19 Cornelia street, west side, 215.11 ft. south of West 4th street (Block No. 590, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Starace.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

65-40-A.

APPLICANT—M. Matsuno, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—140-09 Rose avenue, west side, 78 ft. north of Kissena boulevard (Block No. 5230, Lot No. 37), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: M. Matsuno.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn, to comply, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1488-21-A.

APPLICANT—USL Battery Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—21-07 41st avenue, north side, 100 ft. west of 22nd avenue (Block No. 410, Lot No. 46), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Bense and Julius Eckman.

ACTION OF BOARD—Application reopened and set for hearing March 26, 1940, at 2 P.M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Department of Housing and Buildings, Borough of Brooklyn.

OWNERS—William and Anna Chrystal.

LESSEE—Samuel Budoff.

SUBJECT—Appeal for the revocation of Certificate of Occupancy 66349 and Permit 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Opposition: Harvey L. Strelzin.

ACTION OF BOARD—Appeal granted, revoking certificate of occupancy and permit.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1111-39-A)

WHEREAS, Benjamin Saltzman, for Department of Housing and Buildings, Borough of Brooklyn, filed September 8, 1939, an appeal for the revocation of a permit and certificate of occupancy, affecting premises 545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn; and

WHEREAS, the premises consist of a plot 226 ft. 1 in. by 31 ft. 2 in., irregular in area, upon which there exists a three (3) story building, 37 ft. in height, 105 ft. by 31 ft. 2 in., irregular in area, occupied as stores and multiple dwelling, and as a gasoline service station with grease pits; and

WHEREAS, the applicant contends that Permit 11430-31 was obtained through misrepresentation of material facts, and Certificate of Occupancy 66349 is similarly tainted and, therefore, the revocation of said permit and certificate of occupancy is requested so that the proper remedial action may be instituted to restore the gasoline station to its legal limits; and

WHEREAS, this appeal was the subject of a report by a committee of the Board, which report reads:

REPORT OF COMMITTEE.

March 11, 1940.

Cal. No. 1111-39-A.

Premises: 545-567 Ridgewood avenue, Brooklyn.

An application filed in behalf of the Department of Housing and Buildings requests the Board to revoke Certificate of Occupancy No. 66349, issued December 28, 1931, and Permit No. 11430, issued on December 21, 1931. It is claimed that because of misrepresentation a gasoline station has been illegally permitted to be extended. The premises are described as being located in Block 4122, comprising Lots 1 and 100. On this block is a three-story tenement house and a gasoline service station and there are no other occupancies on the block.

The tenement house was erected in 1907, under plans filed with the Tenement House Department under application number N.B. 806 of 1907. The plot was described as having a frontage on Ridgewood avenue of 226 ft. 1 in., on Union avenue 223 ft. 11 in. and on Nichols avenue 31 ft. 2 in. The lot so described included all the land in Block 4122,

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bounded by Ridgewood avenue, Union avenue and Nichols avenue. Union avenue is referred to in the records under consideration also as Union place and O'Brien place. Application Plan No. 806 of 1907 records the built upon area as 71.16 per cent. and shows a waiver of the requirements of section 56 of the Tenement House Law then in force, requiring a yard and in lieu thereof approving the open space on the lot indicated on a survey filed with the application as "court", 121 ft. 1 in. on Ridgewood avenue, 119 ft. 11 in. on Union avenue and coming to a point toward the easterly end. Section 56 of the Tenement House Law in force at that time required a yard except "where a single tenement house . . . runs through from one street to another street and also occupies the entire block". This building does not occupy the entire block.

Plans filed with the Bureau of Buildings under Permit No. 3033 of 1907, N.B. 920 of 1907, agree with plans filed with the Tenement House Department at about the same date, as to dimensions of the plot and of the court, as accepted in lieu of the yard. The conditions as approved by the Tenement House Department were controlling as to the Building Department.

Except for minor alterations to the building, no changes occurred until in March, 1920, an application was made to the Tenement House Department for reapportionment of the lot with the building thereon. This was consummated after the filing of a recorded deed of conveyance, so that the lot on which the tenement house and open area was located was reduced so as to have the following dimensions: Along Ridgewood avenue, from the corner of Nichols avenue, 129 ft. 3 in.; along Union place, from the corner of Nichols avenue, 128 ft.; along Nichols avenue, 30 ft. 2½ in. (deed gives this dimension as 30 ft. 2¼ in.). and from Union place to Ridgewood avenue, 13 ft. 4¼ in. at the easterly end. This record is under Application No. 106 of 1921, approved by the Tenement House Department April 4, 1921. The survey filed with this application shows the above dimensions and gives the dimension of the portion of the plot as excluded from the tenement house plot as 95 ft. 11¼ in. on Union place and 96 ft. 10¼ in. on Ridgewood avenue, coming to a point near Grant avenue.

Thereafter, applications were filed in the Bureau of Buildings and Bureau of Fire Prevention for approval of the use of this easterly portion of Lot 1, described as "vacant" and of the dimensions 95 ft. 11½ in. on Union place and 96 ft. 10¼ in. on Ridgewood avenue, for a storage shed (Bureau of Building 2533 of 1921) and for a gasoline storage system.

This plot is located in a business use zone and a gasoline service station was a permitted use therein until the amendment to the Zoning Resolution of June 12, 1925.

Thereafter, Application No. 9726 of 1926 was filed with the Bureau of Buildings for a one-story accessory store located on plan filed so as to extend beyond the gasoline station lot and to encroach on the tenement house lot, as reapportioned with the approval of the Tenement House Department, for a distance of 8 ft. The plot as a whole is described as Lot 1, in Block 4122. This was illegally permitted, as it was an extension of area of the gasoline station, but this building was later removed. In 1929 greasing pits and a greasing lift were installed, further extending the gasoline station beyond the legal boundaries of its area and into the open area of the tenement house lot. Under Application No. 11430 of 1931, filed with the Bureau of Buildings, these encroachments were illegally approved and Certificate of Occupancy No. 66349 issued thereafter, based on Permit No. 11430 of 1931, was illegally issued, since extension of the gasoline station was contrary to the approved reapportionment of the entire Lot No. 1, so as to provide the open space required under the Tenement House Law for the tenement house. Approval of these greasing pits was given by the Fire Department under Application No. 5925 of 1931 on December 21, 1931, after a full report by Inspector McCabe, dated November 2, 1931 (F.D. File No. 29175.11).

In 1935, under application filed with the Department of

Buildings for a minor alteration to the tenement house, a certificate of occupancy, No. 75398, was issued March 22, 1935, against the permit, No. 6072 of 1934, for the entire plot known as Lot 1, Block 4122, for a "store and seven families". The plan filed with this application shows a three-story brick building to the west and a gasoline station to the east, with no separation indicated as to the portion of the plot required under the law for the tenement house and its open space, as approved by the Tenement House Department in 1921.

Because of the lack of a requirement that the reapportionment of Lot 1 should be made in the Tax Department, assigning to the tenement house and its required open space, a lot number and to the gasoline station of the dimensions as recorded in the application filed with the Bureau of Buildings in 1921, a separate lot number, it is readily understood how these encroachments upon the tenement lot area have occurred, particularly where a number of different applicants have filed plans with the Tenement House Department, Bureau of Buildings and Fire Department, all of which had jurisdiction within the scope of their responsibilities, but the determination of the Tenement House Department, apportioning the area of the lot of the tenement house and its required open area is controlling and it is no excuse that its determination was not inquired into, irrespective of how an applicant described the building.

There is, however, ample evidence in the records in the Departments of misrepresentations as to the occupancy of the tenement house and the dimensions and use of the gasoline service station. Without such misrepresentation, the permits and certificate of occupancy would undoubtedly not have been issued.

For these reasons, together with the reason that the gasoline station has been extended contrary to the Zoning Resolution beyond the area that was recorded as occupied prior to June 12, 1925, the committee recommends that the permit, No. 11430, and Certificate of Occupancy No. 66349 be revoked.

On July 7, 1939, there was, for the first time, a reapportionment approved by the Tax Department upon filing a certificate of the Register of the transfer by Anna Chrystal to William Chrystal of the tenement house and part, but not all of the open space required therefor by the Tenement House Department in 1921. By virtue of this apportionment, the tenement house with a portion of the required open space is now known as occupying Lot 1 and the gasoline station and the balance of the required open space of the tenement house, Lot 100. The dimensions of Lot 100 are 113 ft. 10½ in. on Ridgewood avenue and 112 ft. 10¼ in. on O'Brien place (Union place).

Whether or not this apportionment was a device to attempt to legalize the extension of the gasoline station, it can not have that effect.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE
CHARLES M. BLUM
PATRICK WALSH

Committee.

and

WHEREAS, this report recommended that Permit No. 11430 and Certificate of Occupancy No. 66349 be revoked.

Resolved, that the appeal be and it hereby is *granted*, and that Permit No. 11430-31 and Certificate of Occupancy No. 66349 be and they hereby are *revoked*.

47-40-A.

APPLICANT—McDowell Sprinkler Corporation, for Samuel F. Adams, Jr., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

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PREMISES AFFECTED—759 Sixth avenue, west side, 39.8 ft. north of West 25th street (Block No. 801, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(47-40-A)

WHEREAS, McDowell Sprinkler Corporation, for Samuel F. Adams, Jr., owner, filed January 12, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises 759 Sixth avenue, west side, 39.8 ft. north of West 25th street (Block No. 801, Lot No. 38), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 5411-LF, dated August 9, 1939, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated December 14, 1939, reads:

"A reinspection has been made and in view of the large stock of wood tops of sewing machines in the cellar, lack of ventilation and no direct entrance from street to cellar, your request for reconsideration must be denied."

and

WHEREAS, the building is four stories (40 ft.) in height, 19.9 ft. by 66 ft. in area, of Class 3 construction, erected about 1882, located in an unrestricted use district, and occupied: cellar, machine supplies, 1 person; 1st floor, machine sales, 4 persons; 2nd floor, employment office, 2 persons; 3rd floor, furrier, 1 person; 4th floor, vacant; and

WHEREAS, the applicant contends that it would be an undue hardship for the owner to install an approved automatic sprinkler system and requests the acceptance of a modified sprinkler system.

Resolved, that the order of the fire commissioner, No. 5411-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that an automatic alarm need not be installed; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to ceiling with proper pitch and 1¼-inch drain and with heads pendant; that there shall be a single hose inlet of approved type erected on the exterior of the building on Sixth avenue at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign, stating area covered, shall be painted with aluminum.

48-40-A.

APPLICANT—McDowell Sprinkler Corporation, for Samuel F. Adams, Jr., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—765 Sixth avenue, west side, 79.6 ft. north of West 25th street (Block No. 801, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(48-40-A)

WHEREAS, McDowell Sprinkler Corporation, for Samuel F. Adams, Jr., owner, filed January 12, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises 765 Sixth avenue, west side, 79.6 ft. north of West 25th street (Block No. 801, Lot No. 40), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 5512-LF, dated August 28, 1939, reads:

"1. Install an approved wet automatic sprinkler system throughout the cellar, having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated December 19, 1939, reads:

"In reply to your letter requesting reconsideration on Order 5512 LF, requiring a sprinkler system in the cellar of the above premises, you are advised that inspection shows considerable combustible material in the cellar and your request must be denied."

and

WHEREAS, the building is four stories (40 ft.) in height, 19.9 ft. by 66 ft. in area, of Class 3 construction, located in an unrestricted use district, erected in 1884, and occupied: cellar, machine storage, 1 person; 1st floor, machine sales, 1 person; 2nd floor, employment office, 1 person; 3rd floor, furrier, 1 person; 4th floor, vacant; and

WHEREAS, the applicant contends that it would be an undue hardship for the owner to install an approved automatic sprinkler system and requests that permission be granted to install a modified sprinkler system.

Resolved, that the order of the fire commissioner, No. 5512-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that an automatic alarm need not be installed; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to ceiling with proper pitch and 1¼-inch drain and with heads pendant; that there shall be a single hose inlet of approved type erected on the exterior of the building on Sixth avenue at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign, stating area covered, shall be painted with aluminum.

84-40-A.

APPLICANT—Reuben Lesser, for Zenna Textile Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Lesser.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(84-40-A)

WHEREAS, Reuben Lesser, for Zenna Textile Corporation,

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owner, filed January 23, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises 78 Leonard street, south side, 138 ft. 2 in. east of Church street (Block No. 173, Lot No. 19), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 6257-LF, dated December 1, 1939, reads:

"1. Provide an automatic thermostatic fire alarm system with direct connection to the Central Office of one of the operating companies in connection with the non-automatic dry sprinkler system now installed on the above premises. Article 16, Chapter 26 of the Adm. Code."

and
WHEREAS, the decision of the fire commissioner, dated January 16, 1940, reads:

"In reply to your request to omit compliance with Order No. 6257-LF requiring an automatic fire alarm system in connection with the non-automatic sprinkler system installed in the cellar and sub-cellar of the above premises, you are advised that such alarm system is required by Article 16 of the Administrative Code and your request must be denied."

and
WHEREAS, the building is five stories (75 ft.) in height, 37 ft. 6 in. by 80 ft., irregular in area, of Class 3 construction, equipped with a standpipe and sprinkler system, located in an unrestricted use B area district, erected in 1875, and occupied: sub-cellar, receiving department, 3 persons; cellar, storage of cotton piece goods, 2 persons; 1st floor, same, 2 persons; 2nd floor, office and stockroom, 2 persons; 3rd floor, storage of cotton piece goods, 1 person; 4th floor, same, 1 person; 5th floor, same, no persons; and

WHEREAS, the applicant contends that to comply with the order would cause an unnecessary hardship on the owner; that the premises are used for a non-hazardous business, and that the occupancy of the building is low.

Resolved, that the order of the fire commissioner, No. 6257-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that in all other respects the non-automatic sprinkler system shall meet the requirements of the building code therefor and shall be tested and maintained to the satisfaction of the fire commissioner.

107-40-A.

APPLICANT—Joseph B. Lynch, for The Texas Company, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(107-40-A)

WHEREAS, Joseph B. Lynch, for The Texas Company, owner, filed January 29, 1940, an appeal from an order of the fire commissioner, affecting premises 744 Clinton street, west side, 220 ft. north of Bryant street (Block No. 618, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 80369-LC, issued by the fire commissioner June 16, 1939, reads:

"You are hereby notified that an inspection of the above premises, used as an Oil Storage Plant, shows

that the following must be done before the permit requested by you can be issued:

1. Provide a pit of concrete, the bottom of which shall be at least three feet below the ground level, for the storage of volatile inflammable oils in steel drums or barrels. Plans and specifications in duplicate must be filed with and approved by the Department of Housing and Buildings before above work may be commenced. C19-502-D, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated January 26, 1940; and

WHEREAS, the premises consist of a plot fronting 265 ft. on Henry street with a depth of 223 ft.; located in an unrestricted use district and occupied as an oil storage plant since 1916; and

WHEREAS, in lieu of compliance with the order of the fire commissioner it is proposed to use a wooden platform 4 ft. above grade, 38 ft. by 64 ft. in area, as indicated on the drawings filed herewith, for the storage of a maximum of fifty drums of volatile inflammable oils; that this temporary storage is due to the fact that WPA projects require drum or barrel delivery; that it is necessary to have a reserve quantity on hand at the plant to meet these deliveries; that to construct a pit at this location, which is the only available space on the premises, would be a practical difficulty in view of the proximity to the creek.

Resolved, that the order of the fire commissioner, No. 80369-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the storage of not over fifty (50) drums of volatile inflammable oil (gasoline) on the wooden platform, as indicated on plans filed herein and as shown on plans filed herein and as shown on plans approved by the Board under Cal. No. 272-19-A, *on condition* that there shall be constructed over this platform, a roof of incombustible material to form a protection from the sun; that on the premises there shall be no filling into drums of volatile inflammable oils; that the drums to be stored shall be brought to the premises filled and delivered as required without opening; that the existing foam system shall be extended so as to have an outlet at this platform; that such portable fire-fighting appliances shall be installed on the premises as the fire commissioner shall direct.

198-40-A.

APPLICANT—McLellan Stores Company, lessee, for Paly Realty Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant C. A. Pohl.

For Administration: Thomas Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(198-40-A)

WHEREAS, McLellan Stores Company, for Paly Realty Company, owner, filed February 23, 1940, an appeal from an order of the fire commissioner, affecting premises 30-88 Steinway street, west side, 132.9 ft. north of 31st avenue (Block No. 660, Lot No. 7), Long Island City, Borough of Queens; and

WHEREAS, Order No. 4101-LF, issued by the fire commissioner January 31, 1940, reads:

"1. Provide a separate and distinct system of Auto-

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matic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the building is one story (17 ft.) in height, 50.04 ft. by 135 ft. in area, of Class 3 construction, located in a business use B area district, erected in 1928, and occupied: cellar, storage of merchandise; 1st floor, store; pursuant to Certificate of Occupancy No. 34216, which permits the occupancy of the first floor only as stores and offices, 100 pounds live load; and

WHEREAS, the applicant contends that the building is equipped with internal fire protection as recommended by the National Board of Fire Underwriters; that the basement is laid out to provide proper and permanent aisles, thus giving ready access to all parts of the basement; that trash and waste are properly cared for in a separate fire-resisting room; that all trash and waste is removed from the building daily; that two stairways exist at diagonally opposite corners of the basement, providing ready access to the basement; that access to the first floor is available at both front and rear of the building.

Resolved, that the order of the fire commissioner, No. 4101-LF, Item 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar, except in the boiler-room, a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼-inch drain and with heads pendant; that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building on Steinway street, at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

245-40-A.

APPLICANT—Croker Fire Prevention Corporation, for Magdalene O'Hare, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1331 Halsey street, northwest corner of Irving avenue (Block No. 3407, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidnev L. Strauss.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(245-40-A)

WHEREAS, Croker Fire Prevention Corporation, for Magdalene O'Hare, owner, filed March 5, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises 1331 Halsey street, northwest corner of Irving avenue (Block No. 3407, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 1654-LF, dated November 9, 1938, reads:

"1. Arrange the standpipe system to conform to the requirements of Article 17, Administrative Code of the City of New York, and comply with the following orders:

(a) Replace missing siamese connection on Halsey Street side.

(b) Provide a sign at outside siamese connection, reading 'FOR STANDPIPE'.

(c) Arrange for a flow test by washing and cleaning of the standpipe system."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated February 27, 1940; and

WHEREAS, the building is one story (15 ft.) in height, 149 ft. 11½ in. by 100 ft. in area; of Class 3 construction; equipped with a standpipe system; erected approximately in 1915; located in business and unrestricted use districts, and occupied for a garage for more than five (5) motor vehicles; and

WHEREAS, the applicant contends that at the time of the erection of the building the building code required the installation of a standpipe system; that this system was installed in proper manner, but since that time, due to lack of heat, there have been several freeze-ups in the premises causing considerable damage; that upon the enactment of the administrative code, one-story buildings were exempt from the requirement of a standpipe system; that on this basis it is respectfully requested that permission be granted to remove the existing siamese connection on the exterior of the building and remove the system entirely, including hose racks and all other appliances now installed in the premises.

Resolved, that the order of the fire commissioner, No. 1654-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the standpipe system shall either be made to comply with the requirements of the building code therefor or shall be completely removed, and that such portable fire-fighting appliances shall be provided as the fire commissioner shall direct.

268-40-A.

APPLICANT—Edwin W. Kleinert, for A. B. Murray Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—147-165 Wolcott street, south side, 125 ft. west of Conover street (Block No. 574, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(268-40-A)

WHEREAS, Edwin W. Kleinert, for A. B. Murray Company, owner, filed March 11, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 147-165 Wolcott street, south side, 125 ft. west of Conover street (Block No. 574, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on App. No. 161-40, dated March 6, 1940, reads:

"Class V metal buildings is restricted to 15,000 sq. ft. in area. Existing building 17,760 sq. ft. Proposed addition of 2,400 sq. ft. contrary to Sect. 4.2.1. Bldg. Code."

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and

WHEREAS, the existing building is 225 ft. by 80 ft. in area, one story, 26.5 ft. in height; Class 5 construction; located in an unrestricted use district; erected in 1901; equipped with a sprinkler system, and occupied: storage of steel and similar materials, 15 persons; and

WHEREAS, it is proposed to erect an extension to the existing building, 20 ft. by 120 ft. in area, one story (18 ft.) in height, to be occupied similarly to the existing building and to be constructed of similar materials; and

WHEREAS, the applicant contends that section C26-254 permits types other than Class 5 construction to be increased in area when sprinklers are installed; that this seems to be an arbitrary regulation which imposes an undue hardship upon owners of existing Class 5 buildings; that the building in question will contain no inflammable materials; that the only materials stored will be steel boiler tubes, bars, pipes, etc.

Resolved, that the decision of the borough superintendent, acting on Application No. 161-40, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, so as to permit the construction of proposed addition as indicated on plans filed with this appeal, *on condition* that the construction otherwise shall meet the requirements of the building code therefor, and that the sprinkler system shall be extended into the proposed addition, and that it is *granted only so long* as the building and occupancy in all other respects meet the requirements of all laws, rules and regulations applicable thereto and only so long as the use of building is maintained as set forth in this appeal.

270-40-A.

APPLICANT—Frank S. Schwaner, for S. M. LeBoutillier Trust, owner (Martha Loughran, lessee).

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—84-24 116th street, west side, 180 ft. south of 84th avenue (Block No. 9215, Lot No. 19), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: S. Howard Armstrong and Martha Loughran.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(270-40-A)

WHEREAS, Frank S. Schwaner, for S. M. LeBoutillier Trust, owner, filed March 12, 1940, an appeal from decisions of the borough superintendent of buildings, affecting premises 84-24 116th street, west side, 180 ft. south of 84th avenue (Block No. 9215, Lot No. 19), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 671-40, dated February 6, 1940, reads:

"2. To change the occupancy from dwelling to Nursing home partly in frame construction is prohibited by sec. 4.2.1 of the Building Code."

and

WHEREAS, the building is one and one-half stories (29 ft.) in height, 40 ft. by 50 ft. in area; of Class 3 construction; located in a residence use D area district; erected in 1910; the proposed occupancy to be: cellar, ordinary; 1st floor, nursing home, 8 persons; attic, bedrooms for nurses, 3 persons; and

WHEREAS, the applicant contends that the building is large and unsuitable to modern requirements for private dwelling; that it can be used only for a nursing home as

proposed; that it is impossible because of its size to rent it for single family occupancy; that a recent legislative amendment limiting the number of boarders to two would preclude its economic use as a boarding house; that only the roof construction and interior partitions are of frame construction; that the building is otherwise of Class 3 construction; the cellar ceiling is covered with ½-inch plaster board and in addition the ceiling over the boiler is covered with sheet metal for approximately 200 sq. ft.; that the proposed use as a nursing home will not extend more than 20 ft. above grade; that the space in the cellar shown as garage will not be used for the storage of automobiles, and the owner is willing to brick up the opening thereto so as to preclude its use for this purpose.

Resolved, that the decision of the borough superintendent of buildings, on Misc. Applic. No. 671-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, as to Objection No. 2, that the ceiling of the cellar throughout shall be fire-retarded with not less than ½-inch plaster board and that the space over the boiler shall be so protected and in addition shall be covered with sheet metal; that the door from the first floor to the cellar shall be protected with metal or made fireproof; that the patients shall be lodged only on the first floor; that the second floor shall be used solely for the nurses and attendants; that the building shall not be increased in height or area; that the lot shall not be reduced, and that a certificate of approval shall be obtained from the Department of Hospitals.

106-39-A.

APPLICANT—A. F. Winter, for F. W. Woolworth Company, owner and lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—57-37 to 57-39 Myrtle avenue, north side, 140 ft. west of Onderdonk avenue, and 928 Onderdonk avenue (Block No. 3466, Lot Nos. 38 and 39), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(106-39-A)

WHEREAS, A. F. Winter, for F. W. Woolworth Company, lessee, filed January 17, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 57-37 to 57-39 Myrtle avenue, north side, 140 ft. west of Onderdonk avenue, and 928 Onderdonk avenue (Block No. 3466, Lot Nos. 38 and 39), Ridgewood, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 1383-LF, dated September 27, 1938, reads:

"1. Provide a separate and distinct system of automatic sprinklers throughout the cellar, having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, this order referred to in a decision of the fire commissioner dated January 11, 1939; and

WHEREAS, the building is three stories (37 ft.) in height, 40 ft. by 111 ft. 8 in. in area; of non-fireproof construction; erected in 1913; located in a business use district, and occupied: cellar, stock room, 1 person; 1st story, sales floor, 100 persons; 2nd story, one apartment, 3 persons; 3rd story, vacant; and

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WHEREAS, applicant contends as to exits, that there is a stairway enclosed in fireproof enclosure, with a fireproof door at the basement and first floor levels, terminating at the first floor towards the rear of the store adjacent to a grade exit; that there is a fireman's ladder from basement to grade; that there is a sidewalk elevator with a pair of sidewalk doors above; as to vents, there are 8 in. by 16 in. and 8 in. by 24 in. openings in the granite base underneath the show windows, with cast-bronze grilles over them; that these openings provide ventilation to the basement; that there is an areaway which provides ventilation to the men's toilet in the rear of the basement with a grating on the sidewalk; that the stock room is used for the receiving and marking of merchandise before it is stored, also used for the storage of the merchandise; that the room used for storage of baled paper, which is baled every night, is a fireproof room; that the merchandise carried in the basement is common to this type of occupancy; that the amount of celluloid merchandise stored in basement is approximately .7 of 1% of the entire stock; that all the aisles are 3 ft. wide and wider and are kept clear at all times; that the basement ceiling is of fire-retarding material; that all partitions in the basement are fireproof.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on February 15, 1939, so that as amended it shall read:

"Resolved, that the order of the fire commissioner, No. 1383-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above sidewalk; that the cap of this hose inlet and sign stating area covered, shall be painted aluminum; that in addition there shall be wet sprinklered heads attached to the existing domestic water supply line of the building installed in the kitchen, unpacking space and waste paper room.

Resolved further, that in the event the owner desires to increase the building, as indicated on revised plans marked 'Received March 13, 1940,' such increase of cellar space may be permitted as shown thereon and the requirements of this resolution may still be applicable, provided that there is installed a hose inlet both on Myrtle avenue and on Onderdonk avenue."

VARIATION OF THE LABOR LAW.

55-40-S.

APPLICANT—Ansonia Fire Prevention Company, for Westinghouse X-Ray Company, Inc., owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—21-02 to 21-16 43rd avenue, southeast corner of 21st street (Block No. 441, Lot No. 16), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(55-40-S)

WHEREAS, Ansonia Fire Prevention Company, for Westinghouse X-Ray Company, Inc., owner, filed January 16, 1940, an application for a variation from the requirements of the labor law, as cited in an order and a decision of the fire commissioner, affecting premises 21-02 to 21-16 43rd avenue, southeast corner of 21st street (Block No. 441, Lot No. 16), Long Island City, Borough of Queens; and

WHEREAS, order No. 2882-LF, issued by the fire commissioner June 19, 1939, reads:

"4. Remove panic bolts from exit doors on first story. Section 272 Labor Law."

and

WHEREAS, said order was repeated in an order of the fire commissioner dated January 10, 1940; and

WHEREAS, the building is two and three stories (37½ ft.) in height, 254 ft. 9 in. by 175 ft. in area; of Class 1 construction; equipped with a sprinkler system; the means of egress consisting of four (4) interior stairs 44 in. wide, of fireproof construction; equipped with fireproof self-closing doors; located in an unrestricted use district; erected in 1918, and occupied: cellar, boiler room, 1 person; first floor, machine shop and sheet metal shop, 177 persons; second floor, assembling, plating and engineering department, 99 persons; third floor, offices, 51 persons; and

WHEREAS, the applicant contends the building is used throughout by one tenant; that the panic bolts in question are located on the street exit doors of each of the four stairways located as shown on plan; that as these doors are located at street level, the removal of these panic bolts would not only permit the entrance of strangers into these premises, thereby endangering valuable merchandise located therein, but would also create the possibility of strangers being injured while on the premises; that the doors equipped with panic bolts are also equipped with nine glass panels in the upper section; that in case of necessity it would be very easy to break any of the lower panels.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in an order of the fire commissioner, No. 2882-LF, and that the application be and it hereby is *granted*, to permit panic bolts to be attached to the four (4) exit doors on first story in stairhalls, *on condition* that such panic bolts shall be maintained to the satisfaction of the fire commissioner at all times; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and, *further, granted only so long* as the building is occupied substantially as set forth in this application.

Adjourned, 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 19, 1939, as they appeared in Bulletin No. 51, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(1452-39-A)

WHEREAS, John J. Gilmartin, for R. C. A. Communications, Inc., owner, filed November 27, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 64-68 Broad street and 31 Beaver street, northwest corner (Block No. 24, Lot No. 1), Borough of Manhattan; and

WHEREAS, Order No. 5514-LF, issued by the fire commissioner August 28, 1939, reads:

"1. Replace missing iron shutters at all openings in the exterior wall which are distant in a direct line less than 30 ft. from any opening in any other building and

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not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at the North, West and South sides of building, or other approved protection, 491A2-2.0 Adm. Code."

and
WHEREAS, the said order was repeated in a decision of the fire commissioner, dated November 20, 1939; and

WHEREAS, the building is ten stories (130 ft) in height, 98 ft. 8 in. by 69 ft. 3 in. in area; of Class 1 construction; equipped with a standpipe system; erected in 1891; located in a business use district and occupied: cellar, storage; basement and 1st story, stores; 2nd to 10th floors, offices; and

WHEREAS, the applicant contends that the following windows are affected by the Order:

4 windows on the 9th floor and 6 on the 10th, north wall, overlooking the roof of the 4-story building.

On the rear wall of the north section of building are 3 windows on the 3rd floor, 1 on the 4th and 2 on each of the 5th, 6th, 7th, 8th, 9th and 10th floors, affected by the order.

On the rear wall of the south section, two windows on the 7th and 3 on the 8th, 2 on the 9th and 2 on the 10th.

On the north court wall, two windows on the 7th, 3 on the 5th, 3 on the 6th, 3 on the 7th, 3 on the 8th, 3 on the 9th and 3 on the 10th.

On the east court wall, 2 windows on the 4th, 5th, 6th, 7th, 8th, 9th and 10th.

On the south court, 3 windows on the 4th, 2 on the 5th, 3 on each of the 6th, 7th, 8th, 9th and 10th floors; that the total number of windows affected, are approximately 89; that all buildings causing the exposures are occupied for office purposes; that in view of the length of time the building has been erected and its occupancy for office purposes and the surrounding office use, the condition does not present a great hazard; that it would be a hardship on the owner to be compelled to provide fire protection for all the affected windows.

Resolved, that the order of the fire commissioner, No. 5514-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exposure windows on the north wall and on the west wall on the lot line shall be made fireproof, self-closing, *or* shall have approved shutters on all lot line openings within 40 feet above the level of the 5-story building roofs including windows above the two-story extension of adjoining buildings to similar height and waiving the requirements for fireproof windows in the interior court, so long as the exposure windows opposite such court of the building at 27 Beaver street are maintained fireproof and self-closing, and *granted* only so long as the building under appeal is occupied as at present as an office building.

—
* *Correction*—The word "and" deleted in line 55 of resolution and the word "or" inserted therefor.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1940 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts,

are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 3, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, Similar Materials and Adhesives used for Decorative Purposes, Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

No combustible materials, which are required to be flameproofed, unless flameproofed as provided in these Rules, shall be used in buildings included in Rule 1.0. After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 2 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—

Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—

The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—

A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

- 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.

- 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

- 2.12 FIRE RETARDING MATERIALS:

- 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

- 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

- 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

- 2.12.4 Note—All fire retarding material, to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

- 2.13 GROUND: An electrical conductor having capacity to absorb current.

- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.

- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half ($2\frac{1}{2}$) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less— $\frac{1}{4}$ in. shell, $\frac{1}{4}$ in. heads.
- Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.
- Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.
- Tanks over 120 in. in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$P \times r \times F$$

t equals—

$$T \times E$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

RULES

least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

RULES

lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic when operating,

shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump	763-25-SA
American Marsh Simplex	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump	628-32-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
Deming Double Oscillating Force Pump	458-27-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Fuel Oil Pump	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump	475-32-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump	60-28-SA
Goulds Rotary Oil Pump	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Triplex Plunger	257-22-SA	Union Steam Pump for Fuel Oil	705-30-SA
Hardinge Fuel Oil Pump	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump	503-24-SA	Warren Oil Pump	1169-23-SA
Koerting Gear Pump	1264-25-SA	Wayne Oil Pump & Fan Set	1155-25-SA
Kraissl Fuel Oil Pump	60-28-SA	Webster Fuel Oil Pump, Types A, Q and T ..	23-34-SA
Leiman Rotary	95-24-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Marsh Fuel Oil Pump	1050-23-SA	Worthington Show Model Duplex	194-22-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Yale and Towne Tri-Rotor Pump	191-39-SA
M. D. Rotary	52-27-SA		

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELIGOTT
JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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N.B. 10075-39.

312-40-BZ....H.B.Bx...1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68-71, inclusive, and Lot No. 30), Borough of The Bronx,
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313-40-A.....H.B.B.....172-236 First street, south side, entire block from Third avenue to Fourth avenue (Block No. 968, Lot No. 1), Borough of Brooklyn,
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314-40-SM.....Flintkote Insulation Products (Building Board, Insulating Lath, Insulating Tile, Insulating Plank, Roof Insulation and Sheathing Board), manufactured by The Flintkote Company, Material.

315-40-SM.....Sote Asbestos Cement Board, manufactured by Homasote Company, Material.

316-40-SA.....Rego-Oxy-Acetylene Welding and Cutting Equipment,
Appliance.

317-40-A.....H.B.Q.....46-05 Fifth street, west side, between 47th avenue and Standard Canal (11th street basin); (Boiler Plant); (Block No. 21, Lot No. 1, and Block No. 22, Lot No. 1), Long Island City, Borough of Queens,
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320-40-A.....F.D.....334 Water street, north side, 48 ft. 6½ in. east of Roosevelt street (Block No. 110, Lot No. 40), Borough of Manhattan,
21172-L.C.

321-40-A.....F.D.....383 Water street, south side, 60.5 ft. west of Catherine Slip (Block No. 251, Lot No. 23), Borough of Manhattan,
21151-L.C.

322-40-S.....H.B.M....192 Broadway and 1-11 John street, northeast corner (Block No. 79, Lot No. 15), Borough of Manhattan,
Alt. 1545-39.

323-40-S.....H.B.M....13 East 16th street, north side, 241.10 ft. east of Fifth avenue (Block No. 844, Lot No. 10), Borough of Manhattan,
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324-40-S.....H.B.M....14 East 17th street, south side, 216 ft. east of Fifth avenue (Block No. 844, Lot No. 34), Borough of Manhattan,
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327-40-BZ....H.B.Q.....68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 1), Forest Hills, Borough of Queens,
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329-40-A.....H.B.Q.....173-04 to 173-12 47th avenue, southeast corner of Fresh Meadow lane and south side of 47th avenue, 49.48 ft. and 89.48 ft. east of Fresh Meadow lane (Block No. 5585, Lot No. 6), Flushing, Borough of Queens, N.B. 1329-40 to N.B. 1334-40, inclusive.

330-40-A.....H.B.Q.....173-03 to 173-11 47th avenue, northeast corner of Fresh Meadow lane and north side of 47th avenue, 50.62 ft. and 90.62 ft. east of Fresh Meadow lane (Block No. 5583, Lot No. 10), Flushing, Borough of Queens, N.B. 1303-40 to N.B. 1308-40, inclusive.

331-40-SA.....Hollister-Whitney Safety Lift (Automobile Hydraulic Lift), Appliance.

332-40-BZ....H.B.B.....2749 to 2751 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn, N.B. 488-40.

333-40-A.....H.B.Bx...147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (Under Section 35, General City Law—re Bed of Mapped Street), Alt. 128-40.

334-40-A.....F.D.....North side of Northern boulevard, Flushing River (Block No. 30, Lot No. 1), Corona, Borough of Queens, 74161-L.C. and Decision.

Restored to Calendar.

67-33-BZ....H.B.Bx...3900 Baychester avenue and 125 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx, Decision.

328-39-BZ....H.B.M....405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan, Decision—re Certificate of Occupancy.

191-40-A.....11.B.M....148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan, Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On April 1, 1940, Samuels and Samuels, attorneys, served on Board petition and order of certiorari, in behalf of William Jacobia and Albert Jacobia, owners, in re decision of Board of December 19, 1939, denying gasoline station in business district under section 21, Cal. No. 1189-39-BZ, at premises 136-05 32nd avenue and 31-51 Linden place, Flushing, Borough of Queens.

RULES

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Certificate of Occupancy, approved form.....Aug.	23, 1938—Vol. 22, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules.....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Feb.	27, 1940—Vol. 25, No. 9
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Fire Retarding Rules for Garages, etc.....Apr.	2, 1940—Vol. 25, No. 14
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Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
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Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....Apr.	10, 1923—Vol. 8, No. 15

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Anti-Siphon Valves.....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Mar.	5, 1940—Vol. 25, No. 10
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Fuel Oil Fill Pipe Terminals.....Mar.	5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use.....Aug.	8, 1939—Vol. 24, No. 32
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Range Oil Burners and Space Heaters.....Aug.	29, 1939—Vol. 24, No. 35
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APRIL 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 4), Springfield, Borough of Queens.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 1310-39-BZ—Application, October 25, 1939, under section 21 of the building zone resolution, of Richard E. Carey, applicant, on behalf of Eva B. Smith, owner (Joseph Brown, lessee), to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.

CAL. NO. 1483-39-BZ—Application, December 7, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of East River Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.

CAL. NO. 68-40-BZ—Application, January 19, 1940, under section 7h of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Inc., and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, southeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 1492-39-BZ—Application, December 9, 1939, under sections 7h and 21 of the building zone resolution, of Newburgh Savings Bank, applicant and owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405-A (1399), Lot No. 125), Borough of Brooklyn.

CAL. NO. 574-39-BZ—Application, May 5, 1939, under sections 7b and 21 of the building zone resolution, of Ridgewood Savings Bank, applicant and owner (E. K. Demmel, lessee), to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

CAL. NO. 1532-39-BZ-WF—Application, December 22, 1939, under section 7h of the building zone resolution, of Stanley H. Hemley, applicant, on behalf of Kew Gardens Corporation, owner (August Meyers, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

284-40-A—90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens.

63-40-A—6 Gansevoort street, south side, 99 ft. west of 4th street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan.

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109-40-A—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

291-40-A—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

235-40-A—17 Leonard street, north side, 213 ft. 9½ in. east of Hudson street (Block No. 179, Lot No. 50), Borough of Manhattan.

301-40-A—761-778 Seventh avenue, east side, from West 50th to West 51st streets, 159 West 50th street and 154 West 51st street (Block No. 1003, Lot No. 1), Borough of Manhattan.

151-40-A—37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens.

178-40-A—2914-2916 Third avenue, east side, 81 ft. 3 in. south of East 152nd street, and 607 Bergen avenue (Block No. 2362, Lot No. 13), Borough of The Bronx.

225-40-A—37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens.

239-40-A—108 Park Row, west side, 74 ft. 10½ in. north of Duane street (Block No. 159, Lot No. 57), Borough of Manhattan.

281-40-A—112 Worth street, south side, 59 ft. 2 in. west of Elm street (Block No. 157, Lot No. 18), Borough of Manhattan.

305-40-A—63-09 to 63-11 Roosevelt avenue, north side, 65 ft. 6 in. east of 63rd street, and 39-09 to 39-11 63rd street (Block No. 1293, part of Lot No. 49), Woodside, Borough of Queens.

286-40-A—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

292-40-A—304 West 67th street, south side, 100 ft. west of West End avenue (Block No. 1178, Lot No. 37), Borough of Manhattan.

302-40-A—1348-1350 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

307-40-A—220 Hamilton avenue, west side, 88 ft. 1 in. north of Luqueer street (Block No. 514, Lot No. 12), Borough of Brooklyn.

313-40-A—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

311-40-A—Blocks bounded by 263rd street, Long Island Motor Parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to

42A, inclusive, Lot Nos. 1, 2, 8, etc.), Creedmore, Borough of Queens (Hillside Hospital).

Variation of the Labor Law.

287-40-S—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

APRIL 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7636, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gaso-

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line service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

CAL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 6), Tompkinsville, Borough of Richmond.

CAL. NO. 897-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Nordlinger, Riegelman and Cooper, applicants, on behalf of Adolph Lewisohn & Sons, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan.

CAL. NO. 1479-39-BZ—Application, December 5, 1939, under section 21 of the building zone resolution, of Israel G. Seeger, applicant, on behalf of Luisa Prisco, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483-A, Lot Nos. 53 and 54), Borough of Brooklyn.

CAL. NO. 1529-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn.

CAL. NO. 1552-39-BZ—Application, December 29, 1939, under section 7h of the building zone resolution, of Antonie Sikora, applicant and executrix of Estate of Ludwig Sikora, deceased, as mortgagee in possession, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-15 Crescent street, northeast corner of 33rd avenue (Ridge street); (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens.

CAL. NO. 1025-39-BZ—Application of Frank Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, reopened January 3, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1516-39-BZ—Application, December 18, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of New York City Society of the Methodist Episcopal Church, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Grand Concourse boulevard and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert G. Zetsche, applicants, on behalf of Sheffield Farms Company, Inc., owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 9, 1940, 2 P. M.

Appeals from Administrative Decisions.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

320-40-A—334 Water street, north side, 48 ft. 6½ in. east of Roosevelt avenue (Block No. 110, Lot No. 40), Borough of Manhattan.

321-40-A—383 Water street, south side, 60.5 ft. west of Catherine Slip (Block No. 251, Lot No. 23), Borough of Manhattan.

328-40-A—262 Water street, west side, 70 ft. north of Pecks Slip (Block No. 106, Lot No. 8), Borough of Manhattan.

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334-40-A—North side of Northern boulevard, Flushing River (Block No. 30, Lot No. 1), Corona, Borough of Queens.

341-40-A—148-54 Ashland place, southwest corner of Lafayette street (Block No. 2087, Lot Nos. 25 and 23), Borough of Brooklyn.

343-40-A—218-27 Jamaica avenue, south side, 18 ft. west of 219th street (Block No. 1645, Lot No. 36), Queens Village, Borough of Queens.

242-40-A—617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan.

244-40-A—371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2085, Lot No. 1), Borough of Brooklyn.

338-40-A—Southeast corner of East 151st street and Exterior street (Block No. 2497, Lot No. 34), Borough of The Bronx.

329-40—173-04, 173-08 and 173-12 47th avenue southeast corner of Fresh Meadow lane and south side of 47th avenue, 49.48 ft. and 89.48 ft. east of Fresh Meadow lane (Block No. 5585, Lot No. 6), Flushing, Borough of Queens.

330-40—173-03, 173-07 and 173-11 47th avenue, northeast corner of Fresh Meadow lane and north side of 47th avenue, 50.62 ft. and 90.62 ft. east of Fresh Meadow lane (Block No. 5583, Lot No. 10), Flushing, Borough of Queens.

Variations of the Labor Law.

318-40-S—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

322-40-S—192 Broadway and 1-11 John street, northeast corner (Block No. 79, Lot No. 15), Borough of Manhattan.

323-40-S—13 East 16th street, north side, 241.10 ft. east of Fifth avenue (Block No. 844, Lot No. 10), Borough of Manhattan.

324-40-S—14 East 17th street, south side, 216 ft. east of Fifth avenue (Block No. 844, Lot No. 34), Borough of Manhattan.

325-40-S—16 East 17th street, south side, 241 ft. east of Fifth avenue (Block No. 844, Lot No. 33), Borough of Manhattan.

326-40-S—20 East 17th street, south side, 291 ft. east of Fifth avenue (Block No. 844, Lot No. 31), Borough of Manhattan.

APRIL 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

CAL. NO. 1238-39-BZ—Application, October 6, 1939, under section 21 of the building zone resolution, of Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Lien, applicants, on behalf of New York City Housing Authority (U. S. Housing Project NY 5-3), owner, to permit in a residence use district the maintenance of a garage for three (3) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers; 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

CAL. NO. 1129-27-BZ—Application of Oscar Lowinson, applicant, on behalf of Renweis Holding Corporation, owner, reopened February 21, 1939, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan.

CAL. NO. 292-17-BZ—Application of Van Wart and Ackerman, applicant, on behalf of The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, owners, reopened February 27, 1940, under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more

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than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1408-39-BZ—Application, November 16, 1939, under sections 7c and 21 of the building zone resolution, of Irving Kirshenblit, applicant, on behalf of Lydia D. Backus, owner (Edward Aibel, lessee), to permit in a business use district the extension of an existing gasoline service station and accessory buildings; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940, at 10 o'clock*, in Room 1013, Municipal building, Manhattan, on the following matters:

CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

CAL. NO. 95-40-BZ—Application, January 27, 1940, under section 7h of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, to permit in

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a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.

CAL. NO. 167-40-BZ—Application, February 13, 1940, under sections 7c and 21 of the building zone resolution, of Albert Mayer and Julian H. Whittlesey, applicants, on behalf of 240 Central Park South, Inc., owner, to permit, partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class "A" multiple dwelling having business use (stores and restaurant) on the first story; premises 232-240 Central Park South, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot No. 58), Borough of Manhattan.

CAL. NO. 282-35-BZ—Application of Paul Friedman, applicant, on behalf of Bay Parkway Holding Corporation, owner, reopened for rehearing on alleged new facts January 30, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court); premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1501-39-BZ—Application, December 13, 1939, under section 21 of the building zone resolution, of James R. Curreri, applicant, on behalf of R. Marinelli, owner, to permit in a residence use district the erection and maintenance of a business building (two (2) stores) and, also, the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

CAL. NO. 177-40-BZ—Application, February 14, 1940, under sections 7b and 7c of the building zone resolution, of H. I. Feldman, applicant, on behalf of Bonvenu Corporation, owner, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises

17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

APRIL 23, 1940, 2 P. M.

Appeal from Administrative Decision.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

APRIL 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 1422-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of J. & P. Development Corporation, owner, to permit in a residence use district the creation and maintenance of a gasoline service station, lubricatorium, auto laundry and office; premises 133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1242-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Alken Realty Corporation, owner (Shell Oil Company, Inc., lessee), to permit partly in a business use district and partly in an un-

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restricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

MAY 3, 1940, 10 A. M.

Rules.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Appeals from Administrative Decisions.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

354-40-A—24-40 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

MAY 7, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 113-38-BZ—Application, February 23, 1938; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar March 12, 1940, under sections 7h and 21 of the building zone resolution, of Arthur Balley, applicant and lessee, on behalf of Keppler Company, Incorporated,

owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 163rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

CAL. NO. 85-39-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, reopened March 19, 1940, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

CAL. NO. 370-40-BZ—Application, April 10, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Frank P. Mandel and James M. Brooks, owners, to permit in a residence use district and, also, "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution; premises 1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue "S" (Block No. 6827, Lot No. 33), Borough of Brooklyn.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club,

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owner, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MARCH 26, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, February 27, 1940; the minutes of the regular meeting of the Board held on Tuesday afternoon, February 27, 1940, and the minutes of the special meeting of the Board held on Friday morning, March 1, 1940, were approved as printed in Bulletin No. 10, Vol. 25.

BUILDING ZONE CASES.

150-38-BZ.

APPLICANT—William Shary, for Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee).

SUBJECT—Application reopened and restored to Calendar December 19, 1939 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary, William R. Altman, Charles Fredericks and Samuel R. Rosenberg.

For Opposition: Emanuel Goldberg, Jennie Berkowitz, Yetta Noison, Seymour R. Candee, S. H. Reich and Louie Stern.

ACTION OF BOARD—Laid over to April 9, 1940, at 10 A.M., on written request of applicant.

1012-39-BZ.

APPLICANT—Lama and Proskauer, for Abraham J. Stern, owner (Pilgrim Gas Stations, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension in area and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to April 2, 1940, at 10 A.M., on written request of applicant.

1341-39-BZ.

APPLICANT—Sidney Rossman, for The Joseph Wechsler Estate, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Rossman and Benjamin Fried.

For Opposition: David Klein, Ethel Bushkin, William Obermeyer, Jr., D. Rosenberg, A. Heller, Harry Suvolsky, Vincent Buscemi, M. Char-schan, M. Konawlaw and H. Lefkowitz.

ACTION OF BOARD—Laid over to April 9, 1940, at 10 A.M., for inspection by a committee of the Board.

1526-39-BZ.

APPLICANT—Lama and Proskauer, for Daniel T. Slatery, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—218-226 Mecker avenue, east side, 71 ft. 4¾ in. south of Jackson street Block No. 2746, Lot No. 16), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Louis Malin and Alfred A. Lama.

ACTION OF BOARD—Laid over to April 9, 1940, at 10 A.M., on request of applicant's representative.

106-40-BZ.

APPLICANT—Joseph B. Lynch, for Marie Kienzle, owner (Colonial Beacon Company, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry, and office upon a plot upon which there has existed a gasoline service station.

PREMISES AFFECTED—341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Thompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: D. A. Di Cairano.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to April 9, 1940, at 10 A.M., for submission of new plans by applicant.

553-29-BZ.

APPLICANT—Lama and Proskauer, for Lefland Realty Company, Inc., owner.

SUBJECT—Application reopened November 28, 1939 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension of a public garage, gasoline service station and lubritorium.

PREMISES AFFECTED—1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum
and Assistant Chief McCarthy 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(553-29-BZ)

WHEREAS, this application to permit in a residence use district the erection and maintenance of a public garage and gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn, was granted by the Board January 28, 1930, on certain conditions; and

WHEREAS, Lama and Proskauer, for Lefland Realty Company, Inc., owner, requested a reopening of the application to permit the extension of the public garage, gasoline service station and lubritorium; and

WHEREAS, this application was reopened by vote of the Board November 28, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a residence and business use district; Ditmars avenue is in an unrestricted use district; Rockaway avenue and Chester street are in residence, business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of

buildings on Alt. Applic. No. 4632-1939, dated October 26, 1939, reads:

"Proposed extension of a public garage, gas station and lubritorium in a residential use district is contrary to Art. II, Sec. 3 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Linden boulevard, 100 ft. on Rockaway avenue and 100 ft. on Chester street. On a portion of the plot there is located a garage for more than five (5) motor vehicles and also a gasoline station, previously granted by the Board on certain conditions; it is proposed to relocate the lubritorium and to install additional tanks and pumps and to occupy the entire premises as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of May 17, 1932, as amended June 2, 1932 and July 9, 1935, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that the layout proposed shall be as indicated on the plan filed in this case; that the southerly and westerly gable walls shall be unpierced throughout their entire height and length; that any walls exposed to view from the highways shall be finished in light-colored face brick; that there shall be built along the building line of Linden boulevard and Rockaway avenue a concrete curbing not less than 12 in. in height with not more than two 14 ft. vehicular openings on Linden boulevard and not more than two 12 ft. vehicular openings on the Rockaway avenue front; that there shall be erected at the corner formed by intersection of Linden boulevard and Rockaway avenue a concrete platform not less than 10 ft. in either direction, which shall be maintained unoccupied, other than for one electric light stanchion; that no gasoline pump shall be erected within 10 ft. of building line; that any use incidental to the conduct of the business on the premises shall be housed in approved masonry construction with arch openings from the interior of the property; that any advertising displayed shall be restricted to fixed wall signs within the property line and the glass globes of the gasoline pumps and to one post standard erected within the building line near the corner formed by the intersection of Linden boulevard and Rockaway avenue to carry an illuminated sign which may extend not over 8 ft. beyond the building line and advertising only the brand of gasoline on sale.

Resolved further, that in the event the owner desires to extend the gas station so as to include the balance of the block front so that the total length of the gas station along Linden boulevard will be 200 ft. and the total depth 100 ft., such extension may be permitted, on condition that the present station shall be reconstructed and extended substantially as indicated on revised plans marked 'Received March 12, 1939'; that the extended building shall not exceed one story in height and shall be constructed of incombustible materials; except that the roof beams and boarding may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no windows or other openings to the interior lot line to the south; that along the street line of Chester street there shall be a brick wall, constructed without openings, not less than 6 ft. in height, for a distance of not less than 50 ft. from the rear lot line; that the planting shall be maintained as indicated on revised plans, and the areas so planted shall be protected with concrete curbing not less than 6 in. in height; that the entire premises where not occupied by accessory buildings and garage shall be cement paved; that curb cuts shall not exceed one 25 ft. in width to Rockaway avenue, four not over 25 ft. in width each to Linden

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boulevard and one 25 ft. in width to Chester street; that the sidewalks surrounding the property shall be cement paved, and all curbs, except where curb cuts are permitted, shall be constructed or restored; that all pumps shall be of the parkway type and no pump shall be erected nearer to any building line than 15 ft.; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof signs and all temporary signs, but permitting the erection within the building line at the intersections of Chester street and Linden boulevard and Rockaway avenue and Linden boulevard of post standards, supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that in addition to the five gasoline tanks, two additional 550 gallon gasoline tanks may be installed and one 550 gallon tank for refuse oil; that the extended accessory building shall be used as proposed for lubricating and laundry; that only hydraulic lift greasing equipment shall be installed; that there shall be no open excavation under the accessory building; that the existing lubritorium building shall not be demolished until the new one is constructed; that all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

502-32-BZ.

APPLICANT—Lama and Proskauer, for C. J. A. Realty Corporation, owner.

SUBJECT—Application reopened February 14, 1940, as to extension of time to complete work—re Application (decision of the superintendent of buildings), under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTENDED TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(502-32-BZ)

WHEREAS, this application affecting premises southwest corner of Metropolitan avenue and 126th street (Block No. 207, part of Lot No. 4), Borough of Queens, was granted by the Board July 11, 1933, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work; and

WHEREAS, this application was reopened by vote of the Board February 14, 1940.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted July 11, 1933, only so far as it refers to time for obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

1334-39-BZ.

APPLICANT—Austin W. Magee and A. Stanley Miller, for Bettina Franzese, owner (Paul R. Travis, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use

intendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration and change of occupancy of an existing building to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station.

PREMISES AFFECTED—205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: A. Stanley Miller, Salvatore Franzese and Austin W. Magee.

For Opposition: Robert E. Moffat, Charles H. Scheffel, Lester M. Rosenbloom, Joseph Munz, Jack Stillman and Frank Knickerbocker.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

McCarthy

THE RESOLUTION—

(1334-39-BZ)

WHEREAS, Austin W. Magee, and A. Stanley Miller (Paul R. Travis, lessee), for Bettina Franzese, owner, filed October 27, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the alteration and change of occupancy of an existing building, to an auto laundry, brake service station, motor vehicle repair shop and alcove gasoline service station; premises 205-33 to 205-35 Hollis avenue, north side, 61.34 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hollis avenue is in a business use district; Francis Lewis (Cross Island) boulevard and 205th place are in residence and business use districts; 109th avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 2127-1939, dated October 27, 1939, reads:

"The creation of a gasoline selling station, auto laundry, brake service station and motor vehicle repair shop in a business district is contrary to Art. 2, Section 4 of the Building Zone Resolution."

and

WHEREAS, the building is of non-fireproof construction, 59 ft. front by 100 ft. deep, one story in height; it is proposed to remove and to relocate the street wall of the existing building and to use the resulting area (having a depth of 20 ft.) as a gasoline service station, and also, to occupy the remainder of the building as an auto laundry, brake service station and motor vehicle repair shop; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed and that the application be and it hereby is denied.

1350-39-BZ.

APPLICANT—Benjamin Bernstein, for Eleonora Patane, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use

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district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue south (Block No. 7763, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Bernstein.

For Opposition: Jacob Goldinger.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief McCarthy 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(1350-39-BZ)

WHEREAS, Benjamin Bernstein for Eleonora Patane, owner, filed November 2, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 5919-5929 Flatlands avenue, northwest corner of Paerdegat avenue south (Block No. 7763, Lot No. 41), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatlands avenue, Paerdegat avenue south and East 59th street are in residence and business use districts; Ralph avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 2701-1939, dated October 16, 1939, reads:

“Proposed gasoline station, office, lubritorium, laundry and lunchroom to be located in a business use district is contrary to Art. II, Sec. 4(a) subd. 46 of the Zone Resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 90.3 ft. on Paerdegat avenue south and 99.1 ft. on Flatlands avenue; it is proposed to erect upon the plot an irregular shaped structure, having a frontage of 88 ft. along the west lot line, 68 ft. 2 in. along the north lot line and a depth of 22 ft. 8 in. and to be occupied as a lunch room, lubritorium, auto laundry, and office, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship and that there was sufficient gas stations in the area.

Resolved, that the decision of the borough superintendent on Applic. No. 2701-1939, be and it hereby is affirmed and that the application be and it hereby is denied.

1396-39-BZ.

APPLICANT—Charles M. Spindler, for Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as Metropolitan Iron Foundry).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a building to be used as a Core Oven, in conjunction with an existing iron foundry on an adjacent plot.

PREMISES AFFECTED—253 Devoe street, north side, 197 ft. 8 in. west of Olive street Block No. 2916, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Haus.

For Opposition: William Musso and others.

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(1396-39-BZ)

WHEREAS, Charles M. Spindler, for Anna Halloran, Thomas E. Halloran and Anna Marguerite Brown, owners (doing business as the Metropolitan Iron Foundry), filed November 14, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a building to be used as a Core Oven in conjunction with an existing iron foundry on an adjacent plot; premises 253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Devoe street and Metropolitan avenue are in business and unrestricted use districts; Olive street and Judge street are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 1930-1939, dated October 25, 1939, reads:

“1. Iron foundry in a business zone is contrary to Art. II, section 4.d par. 19 of Zone Resolution.”

and

WHEREAS, the entire premises consist of a plot of ground having a frontage of 75 ft. on Devoe street, 125 ft. on Metropolitan avenue and a depth of 200 ft.; occupied in part as an iron foundry; it is proposed to erect upon the westerly portion of the plot (Lot No. 52) a one-story brick building to be used as a Core Oven and Core Shop, as an accessory to the adjoining iron foundry, and also to occupy that portion of the premises between the proposed building and Devoe street for the storage of sand used in the proposed core shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to and since the hearing; and

WHEREAS, the Board deemed that the proposed fireproof building will improve the present method of core baking and will materially benefit the neighborhood eliminating objectionable features and that this was a proper case in which to exercise its discretion to grant under sections 7b and 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under sections 7b and 7c thereof, to permit the construction of the proposed building, on condition that the building shall be of fireproof construction as shown and shall not be extended beyond the size and height indicated on plans filed herewith; that there shall be no openings to any adjoining property to the west; that this building shall be used solely for the baking of cores and that such cores shall be baked in an oven of the type as proposed and fired by means of an approved oil burner; that the ventilating stack from this oven shall be carried to a point above the highest point of the roof of the adjoining foundry building; that any openings of this building to the foundry proper shall be equipped with fireproof self-closing doors; that the ventilating duct through the gable of the main foundry building to Devoe street shall be extended upwardly above the ridge of the foundry and protected with proper screening; that the screening around the cupola shall be maintained in such a manner as to prevent discharge of

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sparks; that the existing buildings, including the office building on Metropolitan avenue, shall not be further extended; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

1411-39-BZ.

APPLICANT—Jacob J. Gloster, for Alfonzina Giogrande, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store).

PREMISES AFFECTED—172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx.

APPEARANCES—

For Applicant: Jacob J. Gloster and Alice Ragusa.
For Opposition: Lillian Shapiro, Fred C. Chastain and Edward Marcantonio.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4

THE RESOLUTION—

(1411-39-BZ)

WHEREAS, Jacob J. Gloster for Alfonzina Giogrande, owner, filed November 16, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing dwelling from residence to business use (store); premises 172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 204th street is in a business use district; Grand concourse, East 205th street and Mosholu parkway are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 682-1939, dated October 17, 1939, reads:

"A-1 Business use is prohibited in a residence district Article 2—Section 3 Zoning Resolution."

and

WHEREAS, the existing building is of brick and frame construction, 25 ft. front by 65 ft. deep, two stories in height; it is proposed to alter (by the removal of interior partitions and the installation of a plate glass show window) and convert the occupancy of part of the first story of the existing dwelling to business use (store); and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1474-39-BZ.

APPLICANT—John F. Meehan, for Max Wieser, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

intendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—80-07 Utopia parkway and 176-54 Union Turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John F. Meehan and Max Wieser.
For Opposition: Anna Arnold, Clarence B. Maguire, Nathan Posner and W. G. Dermody.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4

THE RESOLUTION—

(1474-39-BZ)

WHEREAS, John F. Meehan, for Max Wieser, owner, filed December 4, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 80-07 Utopia parkway and 176-54 Union turnpike, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Union turnpike is in a business use district; Utopia parkway and 177th street are in residence and business use districts; 80th road is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, N.B. No. 8851-39, dated November 6, 1939, and as amended February 19, 1940, reads:

"1. Proposed use of premises as a gasoline service station is contrary to Sec. 4-9-46 of the building zone resolution. Premises is located in a business district.

Plans and application not further considered."

and

WHEREAS, the premises, which are part of a larger parcel of ground, consist of a plot of ground having a frontage of 85 ft. on Union turnpike and 100 ft. on Utopia parkway; it is proposed to erect upon the site a one-story building, 59 ft. by 28 ft. in area, to be occupied as office, lubratorium and auto laundry, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

17-40-BZ.

APPLICANT—Max Siegel, for Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee).

SUBJECT—Application (re decision of acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan.

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APPEARANCES—

For Applicant: Max Siegel.

For Opposition: Sol A. Herzog, Agnes V. Harrington, John M. O'Neill, A. Hammer and Pat Canterelli.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4

THE RESOLUTION—

(17-40-BZ)

WHEREAS, Max Siegel, for Emigrant Industrial Savings Bank, owner (Bert Cohen, lessee), filed January 5, 1940, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 160-168 East 110th street, south side, 125 ft. east of Lexington avenue (Block No. 1637, Lot Nos. 43 to 47, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 110th street, East 109th street, Third avenue and Lexington avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 29, 1939, reads:

"With reference to your application dated December 14, 1939, for the use of the above premises for parking and storage of more than five (5) motor vehicles, you are advised same has been denied for the reason the premises are located in business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 125 ft. and a depth of 100 ft. 11 in.; it is proposed to occupy the site for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was not a proper case in which to exercise its discretion to grant under section 7, subdivision h of the building zone resolution.

Resolved, that the decision of the borough superintendent, acting on application for Certificate of Occupancy, be and it hereby is affirmed, and that the application be and it hereby is denied.

46-40-BZ.

APPLICANT—Theodore F. Price, for Predor Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 60 of the multiple dwelling law and section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only.

PREMISES AFFECTED—Southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx.

APPEARANCES—

For Applicant: Theodore F. Price.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

THE RESOLUTION—

(46-40-BZ)

WHEREAS, Theodore F. Price, for Predor Realty Corporation, owner, filed January 12, 1940, an application under section 60 of the multiple dwelling law and section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises southwest corner of West 236th street and Cambridge avenue (Block No. 3409-F, part of Lot No. 433), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 236th street, Oxford avenue and Cambridge avenue are in residence use business use and B area districts; West 235th street is in a business use and B area district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 9-1940, dated January 11, 1940, reads:

"A-1. Proposed garage for more than three (3) cars as accessory use in a residence district not permitted under Sec. 3 of the Building Zone Resolution.

FURTHER NOTE: Approval of the Board of Standards and Appeals is required under Sec. 60, Multiple Dwelling Law."

and

WHEREAS, the proposed building is of non-fireproof construction, 90.1 ft. on West 236th street and 50 ft. 11 in. on Cambridge avenue, six stories and cellar in height; it is proposed to occupy part of the cellar story of the proposed multiple dwelling as a garage for more than three (3) motor vehicles, the garage space to be for the use of the tenants only; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship in view of the permissive provisions of section 60 of the multiple dwelling law.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 21 of thereof, and section 60 of the multiple dwelling law, to permit the construction of the garage substantially as shown on proposed plans, as amended March 25, 1940, on condition that in all other respects the building shall comply with all laws, rules and regulations applicable thereto, including the requirements of the zoning resolution and the multiple dwelling law; that the requirements of section 60 of the multiple dwelling law shall be complied with in all respects; that the automatic wet sprinkler system may be a one-source system connected from the domestic water supply system in the building, provided the source from the street is adequate for such use, but in all other respects shall be in conformity with Article 15 of the Administrative Code; that the ventilating system required under section 60 shall be installed and maintained, exhausting above the roof of the building; that at the garage entrance door at the building line there shall be a sign, prominently displayed for outgoing cars reading: "Full stop and Blow Horn" as protection to pedestrians; that

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all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

100-40-BZ.

APPLICANT—Seelig and Finkelstein, for Celia H. Seelig, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 60 of the multiple dwelling law and section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only.

PREMISES AFFECTED—3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Opposition: Ida Agush.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(100-40-BZ)

WHEREAS, Seelig and Finkelstein, for Celia H. Seelig, owner, filed January 27, 1940, an application under section 60 of multiple dwelling law and section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3490 Netherland avenue, east side, 50 ft. south of West 235th street (Block No. 3409-B, Lot No. 154), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Netherland avenue, West 235th street and Johnson avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Applic. No. 119-1940, dated January 22, 1940, and as amended February 14, 1940, reads:

"A-4. Proposed garage for more than 3 cars used as an accessory use in a residence district not permitted under Article 2, Sec. 3 of the Building Zone Resolution. Further note: Approval of the Board of Standards and Appeals required under Sec. 60 Multiple Dwelling Law. Note: Partly residence and partly business districts."

and

WHEREAS, the proposed building is to be of non-fireproof construction with a frontage of 150 ft. and a depth of 90 ft., six (6) stories and basement in height; the south portion of the proposed building extends into a residence use district for a distance of 50 ft., and the remainder of the building is in a business use district; it is proposed to occupy part of the basement story of the proposed multiple dwelling as a garage for more than three (3) motor vehicles, for the use of the tenants only; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the

grounds of practical difficulty and unnecessary hardship in view of the permissive provisions of section 60 of the multiple dwelling law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, and section 60 of the multiple dwelling law, to permit the construction of the garage in connection with the multiple dwelling, substantially as shown on plans filed herewith, *on condition* that in all other respects the zoning law and all other laws, rules and regulations shall be complied with, as well as all requirements of the multiple dwelling law, including the requirements of section 60; that the entire garage shall be equipped with a sprinkler system which may be connected with the domestic water supply of the building, provided the street main is of ample size and the system in all other respects complies with the requirements of the building code therefor; that the ventilating system shall be maintained with continuous flue to roof; that there shall be no opening either directly or indirectly from the garage to any part of the building; that here shall be a sign near the building line at the ramp reading: "Full stop and blow horn," warning all cars leaving the garage as protection to pedestrians; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

1047-39-BZ.

APPLICANT—Theodore F. Price, for Preder Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling; garage space is for the use of tenants only.

PREMISES AFFECTED—Southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, part of Lot No. 430 and part of Lot No. 433), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(1047-39-BZ)

WHEREAS, Theodore F. Price, for Preder Realty Corporation, owner, filed August 17, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling, for the use of the tenants; premises southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, part of Lot No. 430 and part of Lot No. 433), Borough of The Bronx; and

WHEREAS, this application was granted by the Board October 10, 1939, on certain conditions, and the Board deemed that an additional safeguard should be provided.

Resolved, that the Board of Standards and Appeals be and it hereby does *amend* its resolution of October 10, 1939, so that as amended, it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the construction of the garage substantially as proposed on the plans filed herein, *on condition* that the rear

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yard shall comply with the requirements of section 17 of the zoning resolution and section 26 of the multiple dwelling law; that the proposed six-story building shall be constructed in full compliance with the requirements of the multiple dwelling law and all other laws applicable thereto and that the garage shall comply with the requirements of section 60 of the multiple dwelling law and all other laws, rules and regulations relating thereto, except that the automatic wet pipe sprinkler system may be one source which may be a connection from the domestic water supply system in the building, but otherwise in conformity with article XV of the Administrative Building Code and that the ventilation system shall exhaust above the roof of the building; that all permits required and all work involved shall be completed within one year from October 10, 1939.

Resolved further, that the entrance at the building line to the garage shall be not nearer than 10 ft. to the side lot line; that at the entrance door to the garage at the building line for outgoing cars, there shall be a sign prominently displayed, reading: "Full stop and blow horn," as a protection to pedestrians."

Adjourned, 4:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MARCH 26, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

272-30-BZ.

APPLICANT—Lama and Proskauer, for Regis Holding Corporation, owner (White Castle System, lessee).

SUBJECT—Application for consideration—reopening as to a new proposal (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—440-446 Utica avenue, northwest corner of East New York avenue (Block No. 1430, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(272-30-BZ)

WHEREAS, the Board of Standards and Appeals reconsidered for hearing by order of the Court, October 1, 1935, for Jacob A. Freedman, on behalf of Rubel Corporation, owner, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises 440-446 Utica avenue, 923-943 East New York avenue, northwest corner and 872-884 Lefferts avenue (Block No. 1430, Lot No. 34), Borough of Brooklyn; and

WHEREAS, this application was denied by vote of the Board; and

WHEREAS, a new application was filed by Lama and Proskauer, for Regis Holding Corporation, owner, as a new proposal for use of the plot as a parking lot under section 7h

in connection with the restaurant recently constructed on the premises, and for the convenience of patrons only, with no charge for parking.

Resolved, that the application be and it hereby is *reopened* subject to the usual procedure.

684-38-BZ.

APPLICANT—Nathan Wolf (lessee), for Standard National Corporation, owner.

SUBJECT—Application for consideration—reopening and rehearing on alleged new facts—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—2050-2066 White Plains road, southeast corner of Brady avenue and northeast corner of Bronxdale avenue (Block No. 4284, Lot Nos. 5, 11, 13 and 15), Borough of The Bronx.

APPEARANCES—

For Applicant: Emanuel Sobel and Nathan Wolf.

For Opposition: Milton Kleinman.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock and Commissioners Savage and Blum	3
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(684-38-BZ)

WHEREAS, Nathan Wolf (lessee), for Standard National Corporation, owner, filed August 2, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises 2050-2066 White Plains road, southeast corner of Brady avenue and northeast corner of Bronxdale avenue (Block No. 4284, Lot Nos. 5, 11, 13 and 15), Borough of The Bronx; and

WHEREAS, this application was dismissed for lack of prosecution by vote of the Board on January 31, 1939, and applicant requested a reopening and reconsideration of the application; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board April 4, 1939; and

WHEREAS, at a public hearing May 9, 1939, after due consideration by the Board this application was denied; and

WHEREAS, the applicant now requests a reopening and reconsideration of the application on the basis of new facts; and

WHEREAS, the Board deemed that no new facts were presented to justify a rehearing for reconsideration of the action of the Board on May 9, 1939, denying the zoning variance to permit parking and storage.

Resolved, that the application to reopen and reconsider be and it hereby is *denied*.

414-20-BZ.

APPLICANT—Ashley and Booth, for Rose Ash, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), previously granted under section 7i of the building zone resolution, permitting on a plot of ground, in a residence use district, the maintenance for a temporary period of eighty (80) individual garages to be rented to persons not residing on the premises.

PREMISES AFFECTED—Southwest corner of West 186th street and Laurel Hill terrace (Block No. 2149, Lot No. 84), Borough of Manhattan.

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APPEARANCES—

For Applicant: James R. Ashley.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(414-20-BZ)

WHEREAS, this application, affecting premises southwest corner of West 186th street and Laurel Hill terrace (Block No. 2149, Lot No. 84), Borough of Manhattan, was granted by the Board July 20, 1920, for a temporary period of two years; period extended July 11, 1922, July 15, 1924, September 22, 1925, September 30, 1927, October 2, 1928, September 24, 1929, March 27, 1934, April 21, 1936, March 29, 1938, and applicant requests a further extension; and

WHEREAS, the Board deemed that the temporary period should be extended, there having been no substantial change in the surrounding area since the prior extensions.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 29, 1938, so far as it has reference to the period of time for which the variation was granted, so that as amended the resolution shall read:

"Granted under section 7, subdivision f, for a temporary period of two years from the date of this amended resolution, on condition that the single car garages shall be limited to eighty; that there shall be no gasoline sold on the premises; that any existing gasoline equipment below grade shall be permanently sealed, and that the entrance to this plot shall be exclusively from West 186th street."

1236-27-BZ.

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1236-27-BZ)

WHEREAS, this application, affecting premises southeast corner of Woodhaven boulevard and 163rd avenue (Block No. 4046, Lot No. 63), Aqueduct, Borough of Queens, was granted by the Board May 29, 1928, on certain conditions, time to complete work expired and the case was reopened January 9, 1934, and application granted May 1, 1934, under the provisions of section 7, subdivision f, for a temporary period of two years; a writ of certiorari was obtained but was withdrawn and the case was again reopened March 31, 1936, and the temporary period extended for two years from April 21, 1936, and April 5, 1938, and owner now requests a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of May 29, 1928, as amended by resolution adopted May 1, 1934, only so far as it has reference to the term of the permit, so that as amended that portion of the resolution shall read:

"Granted under section 7f for a temporary period of two years from the date of this amended resolution and that in all other respects the requirements of the resolution of May 29, 1928, shall be complied with."

369-36-BZ.

APPLICANT—Michael A. Mead, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

APPEARANCES—

For Applicant: Michael A. Mead.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(369-36-BZ)

WHEREAS, John J. Gilmartin, for Michael Mead, owner, filed December 9, 1936, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline station; premises 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond; and

WHEREAS, this application was granted by the Board October 13, 1937; resolution amended October 3, 1939, and applicant requested a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on October 13, 1937; as amended October 3, 1939, be and it hereby is further amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7f thereof, for a temporary period of two years from the date of this amended resolution, to permit a portion of Lot No. 25 with a frontage of 100 ft. on Arthur Kill road and 100 ft. on Rossville avenue, as indicated on plans filed with this appeal, to be occupied temporarily as a gasoline service station, on condition that the plot shall be leveled substantially to the grade of Arthur Kill road; that the arrangement of the gasoline station shall be generally as indicated on plans filed with this appeal; that no pumps shall be erected nearer than 15 ft. to the street line of either street; that the accessory building shall be constructed of fireproof materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing shall be of non-flammable material; that that portion of the section used for car greasing shall remain open, unless the greasing equipment is of a hydraulic type; that the portion of the area between the accessory building and the two streets

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shall be cement-paved or covered with cracked blue-stone, properly bound and rolled; that entrances shall be restricted to two to Arthur Kill road, not over 15 ft. in width each and two to Rossville avenue, not over 15 ft. in width each and that no part of any curb cut shall be nearer than 10 ft. to the corner formed by the two streets; that during the term of this variance no other portion of the plot shall be used for non-conforming uses; that signs shall be restricted to the illuminated globes of the pumps and a permanent flat sign attached to the front of accessory building and to a sign advertising the brand of gasoline on sale, which may be erected on a post standard within the building line near the intersection of the two streets; that the sign on this standard may extend beyond the building line for a distance of not more than 4 ft. and may be illuminated; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced.

Resolved further, that the location and size of the accessory building and the general requirement of the gasoline station may be in accordance with revised plans marked 'Received March 15, 1940', provided that in all other respects the amended resolution adopted October 3, 1939, be complied with and that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

116-38-BZ.

APPLICANT—Central Savings Bank in the City of New York, owner.

SUBJECT—Application for consideration—re extension of permit—re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles (reopened January 30, 1940—re additional use—erection of gasoline service station).

PREMISES AFFECTED—312-338 West 59th street, south side, 114 ft. 10½ in. west of Broadway (Block No. 1049, Lot Nos. 44 to 56, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Carmille Buckley and Jerome A. Lawrence.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(116-38-BZ)

WHEREAS, Benjamin N. Brody, for Veronica Realty Corporation, owner, filed February 24, 1938, an application under the building zone resolution, to permit for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles; premises 312-338 West 59th street, south side, 114 ft. 10½ in. west of Broadway (Block No. 1049, Lot Nos. 44-56, inclusive), Borough of Manhattan; and

WHEREAS, this application was granted by the Board May 17, 1938, on certain conditions, and applicant requested an amendment of the resolution; and

WHEREAS, the applicant withdrew that part of the application for rehearing to consider an additional non-conforming use as a gasoline service station, but requested an extension of the permit; and

WHEREAS, this application was reopened by vote of the Board January 30, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution adopted by the Board on May 17, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution will read:

"Granted, under section 7h, for a term of two (2) years from the date of this amended resolution."

294-39-BZ.

APPLICANT—Lama and Proskauer, for Alberta Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station.

PREMISES AFFECTED—1523-1527 Bedford avenue, east side, 82 ft. ¾ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Frank Principe.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(294-39-BZ)

WHEREAS, Lama and Proskauer, for Alberta Realty Corporation, owner, filed March 8, 1939, an application under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station; premises 1523-1527 Bedford avenue, east side, 82 ft. ¾ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board July 18, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 18, 1939, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under sections 7c and 21, to permit the reconstruction and extension of the existing garage and gasoline service station, substantially as indicated under revised plans marked 'Received July 13, 1939,' on condition that there shall be no repairing of automobiles on any part of the premises; that the existing ramp from Eastern parkway to the garage shall be discontinued and a masonry wall substituted; that there shall be one entrance only from Eastern parkway and that the present one-story building shall be used solely for the storage of automobiles of the pleasure-car type; that there shall be no entrance from this building to the main garage, except a door not

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over 3 ft. in width; that the portion of the building along Bedford avenue shall be reconstructed substantially as indicated on plans marked 'Received July 13, 1939'; that no pumps shall be erected nearer than 10 ft. to the building line of Bedford avenue; that a fence not less than 4 ft. in height, including concrete curb and iron railing, shall be constructed on the interior lot line where walls of building do not occur, separating this garage occupancy from the adjoining gasoline service station on Bedford avenue and Eastern parkway; that the portion along Eastern parkway, except for the one entrance hereinbefore provided for, shall be seeded to grass and planted with shrubs; that the existing entrance to the boiler room shall be discontinued and a new entrance to the boiler room constructed along the line of the proposed lubritorium wall and separated from the lubritorium by masonry construction; that the gasoline selling area shall be cement paved; that signs shall be restricted to signs attached to the facade of the building on the Bedford avenue side only and to the illuminated globes of the pumps, prohibiting any roof signs and temporary signs, but permitting the erection within the building line of Bedford avenue of a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.

Resolved further, that in lieu of plans approved by the chairman in behalf of the Board under date of August 16, 1939, revised plans marked 'Received March 5, 1940', indicating minor changes as to arrangement, are hereby approved as in substantial compliance with the requirements of the resolution."

671-39-BZ.

APPLICANT—Theodore R. Feinberg, for Arthern Corporation, owner (Reshen Sons, lessees).

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(671-39-BZ)

WHEREAS, Theodore R. Feinberg, for Arthern Corporation, owner (Reshen Sons, lessees), filed May 22, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board October 24, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on October 24, 1939, be and it hereby is amended, only so far as it has reference to the location of the pumps and curb cuts, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under sections 7c and 21, to permit the extension and reconstruction of the existing gasoline service station, substantially as indicated on revised plans filed, marked 'Received October 19, 1939', *on condition* that all buildings now existing on the premises shall be removed, except a portion of the existing building which is to be incorporated in the new building; that the plot shall be leveled substantially to the grade of the existing streets; that the accessory building shall not exceed one story in height and shall be located toward the southwesterly corner of the plot; that such accessory building shall be constructed of incombustible materials and generally of the design as indicated on such plans, except that the roof beams and roof boarding may be of wood, provided the weather surfacing is of approved material and the ceiling fire-retarded throughout, in accordance with the rules of the Board; that all windows and doors may have wood frames and sash, except that there shall be no doors to greasing section, unless the grease pits are ventilated through and above the roof by means of metal ducts and with motor-driven fans of the sparkproof type or unless the greasing equipment is of the hydraulic type; that the entire plot, where not covered by accessory building and planting, shall be cement paved or surfaced with colprovia or other similar material; that there shall be erected on the street building lines of 108th drive and 169th place, extending to the walls on the building lines of the accessory building, a brick wall of face brick on both sides not less than 6 ft. in height, returning on Merrick road at both ends for a distance of not less than 5 ft. and for a height of not less than 4 ft.; that the area shown to be landscaped shall be protected by a concrete curbing; that no gasoline pumps shall be erected nearer than 20 ft. to the street building line of Merrick road; that there shall be no vehicular openings to the station or the accessory building to 108th drive or 169th place; that there shall be no automobile repairing carried on and no parking of cars other than those being serviced; that signs shall be restricted to permanent signs attached to the portion of the accessory building facing Merrick road and to the illuminated globes of the pumps, excluding all temporary signs and roof signs except tower as shown, but permitting the erection within the building line at three (3) points along Merrick road of post standards for supporting one sign each which may be illuminated, advertising only the brand of gasoline on sale, permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that curb cuts shall be solely from Merrick road and shall not exceed four (4), each curb cut not exceeding 25 ft. in width; that no portion of any curb shall be nearer than 5 ft. from the street building line as extended; that any existing curb cuts, where not required for the herein permitted curb cuts, shall be restored; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Resolved further, that the revised plans marked 'Received March 15, 1940', showing four (4) island pumps and revised location of curb cuts to Merrick boulevard, with four (4) 25 ft. curb cuts, is hereby approved as in substantial compliance with resolution and as to pumps and curb cuts may supersede the plans filed and approved under resolution adopted October 24, 1939, on condition that in all other respects the accessory buildings, walls, planted areas and all other requirements of the resolution and plans are complied with in all respects, including the reduction in height of the wall along 169th place from the intersection with Merrick boulevard, so as to permit such wall to be a height of 4 ft. for a distance of 30 ft. from Merrick boulevard, and

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that on 108th drive the wall may be constructed to a height of 4 ft. for a distance back from Merrick boulevard of not over 30 ft."

APPEALS FROM ADMINISTRATIVE DECISIONS. 696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Alex Kraut.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., awaiting decision of Court of Appeals.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Alex Kraut.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., awaiting decision of Court of Appeals.

32-40-A.

APPLICANT—Edward C. O. Thomas, for Ralph H. Beard, Guardian of Mary Beard (an infant), owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward C. O. Thomas and William J. Minogue.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to April 9, 1940, at 2 P.M., for applicant to obtain estimates for fire protection equipment.

63-40-A.

APPLICANT—Patent Scaffolding Company, Incorporated, owner (Anchor Paper Stock Company, Incorporated, lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—6 Gansevoort street, south side, 99 ft. west of West Fourth street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan.

APPEARANCES—

For Applicant: M. M. Cassidy.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to April 2, 1940, at 2 P.M., on request of applicant's representative, and for inspection by the Board.

109-40-A.

APPLICANT—Rudolph Vagt, owner.

SUBJECT—Appeal from an order of the fire commissioner

PREMISES AFFECTED—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Dempsey.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to April 2, 1940, at 2 P.M., on request of applicant.

284-40-A.

APPLICANT—William L. Rouse, for Sutphin Boulevard Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William L. Rouse and Arthur Korn.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to April 2, 1940, at 2 P.M., for applicant to file revised plan or secure consent of adjoining owner.

291-40-A.

APPLICANT—Paul Friedman, for George Angelastro, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and George Angelastro.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to April 2, 1940, at 2 P.M., for inspection by the Board.

1316-39-A.

APPLICANT—Frank E. Redmond, for Richey, Browne and Donald, Incorporated, owner.

SUBJECT—Appeal from orders and decisions of the fire commissioner.

PREMISES AFFECTED—52-15 Flushing avenue, northwest side, 113 ft. southwest of 54th street (Block No. 2319, Lot No. 22; Block No. 2320, Lot Nos. 28 and 23; Block No. 2324, Lot No. 50), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Frank E. Redmond and Frank Arundel.

For Administration: Thomas A. Larkin and Inspector Meyer, Fire Department.

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ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(1316-39-A)

WHEREAS, Frank E. Redmond, for Richey, Browne and Donald, Incorporated, owner, filed October 26, 1939, an appeal from orders and decisions of the fire commissioner, affecting premises 52-15 Flushing avenue, west side, 113 ft. southwest of 54th avenue (Block No. 2319, Lot No. 22; Block No. 2320, Lot Nos. 28 and 23; Block No. 2324, Lot No. 50), Maspeth, Borough of Queens; and

WHEREAS, Order No. 80409-LC, issued by the fire commissioner June 21, 1939, reads:

"You are hereby notified that an inspection of the above premises, used to store acids, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Provide sprinkler heads, installed in accordance with the sprinkler rules of the Board of Standards and Appeals, in all spray, dipping or immersing spaces and storage rooms. Rule 6.3, Spray Rules.

2. Provide vapor-proof globes on all electric lights in spray room. Rule 4.4 Spray Rules.

Note: In non-sprinklered buildings, sprinkler connection may be made to the house water supply."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated November 2, 1939; and

WHEREAS, order No. 3068-LF, issued by the fire commissioner July 25, 1939, reads:

"1. Install a yard hydrant system as per Chapter 26, Article 17, Admin. Code of the City of New York."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated October 20, 1939; and

WHEREAS, the premises consist of a plot 423 ft. by 700 ft., irregular in area, upon which there has been erected a group of frame factory buildings dating back to 1904; occupied throughout with a maximum number of 80 persons, for the manufacture of ornamental bronze and architectural iron; and

WHEREAS, the applicant contends, as to order No. 80409-LC, Items 1 and 2, that at present virtually the only item of any importance actually stored and used under the combustible permit applied for is paint which is applied as a priming coat on steel windows; that this paint is not a lacquer or volatile type but is a high grade ready-mixed paint consisting of Tung oil modified Bakelite spar varnish, 88 per cent, and turpentine and dryer, 12 per cent; that this paint is purchased in one 50-gallon drum at a time, so that when this drum is nearly exhausted, an additional drum is purchased and not more than 70 gallons in one or two drums are maintained on the premises at any one time; that this paint is stored in an outhouse at a distance from the other buildings; that the paint used in the spray booths is brought in 5-gallon containers to the spray room and emptied into the spraying equipment for immediate use; that sprinkler heads cannot be provided as required by the order as there is no water in the building; that in lieu of sprinkler heads, sand pails have been provided; that during non-working hours, watchmen's service is maintained; that as to order No. 3068-LF, the applicant contends that the property is adequately served with city fire hydrants; that to comply with the order would work hardship on the owner; that the applicant is trying to sell either part or all of the property in question and at the present time does not know which part may be sold, and therefore such a sale would cause the relocation of any yard hydrant system now installed.

Resolved, that the order of the fire commissioner, No. 80409-LC, be and it hereby is *modified*, and that the appeal as to Item 1, be and it hereby is *granted on condition* that an automatic fire extinguisher of a capacity and type approved by the fire commissioner shall be installed in lieu of sprinkler heads; that the order of the fire commissioner, No. 3068-LF, be and it hereby is *modified*, and the appeal as to Item 1 be and it hereby is *granted*, waiving the requirement of installation of fire hydrant for a period of one (1) year, so long as the buildings are occupied for approximately 20 per cent of their capacity and for the same line of business.

70-40-A.

APPLICANT—Union Fountain Company, Inc., for Rothschild Realty Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—79 Fifth avenue and 2-8 East 16th street, southeast corner (Block No. 843, Lot No. 45), Borough of Manhattan (18th floor, pent house).

APPEARANCES—

For Applicant: Isidore Sandrow.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

THE RESOLUTION—

(70-40-A)

WHEREAS, Union Fountain Company, Inc., for Rothschild Realty Company, owner, filed January 19, 1940, an appeal from an order of the fire commissioner; premises 79 Fifth avenue and 2-8 East 16th street, southeast corner (Block No. 843, Lot No. 45), Borough of Manhattan; and

WHEREAS, order No. 19381-C, issued by the fire commissioner October 25, 1939, reads:

"Surrender to bearer Fire Department Permit No. 218162 which is hereby revoked for the following reason:
Building in part occupied as a dwelling. Sec. C 19-110.0b.2.

YOU ARE THEREFORE, HEREBY, ORDERED TO:

1. Forthwith remove all nitrocellulose products from the above premises."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated December 21, 1939; and

WHEREAS, the building is 16 stories and penthouse (255 ft.) in height, 106 ft. 6 in. by 159 ft. in area; of Class 1 construction; erected in 1906; equipped with a standpipe and sprinkler system; occupied throughout for light manufacturing and offices; and

WHEREAS, the applicant contends that there are two penthouses, one of which is occupied as a dwelling for one family and the other occupied for celluloid storage; that the penthouses are 65 ft. apart; that the building is fully sprinklered and fire drills are held monthly; that ample water buckets and chemical fire extinguishers are maintained in the portion occupied for celluloid storage.

Resolved, that the order of the fire commissioner, No. 19381-C, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the residential occupancy shall be confined to the apartment in the pent house, as described; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

103-40-A.

APPLICANT—David I. Michaelson, for Benjamin Silverfine, owner.

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SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—294-296 Bowery, west side, 88 ft. 6 in. north of East Houston street (Block No. 521, Lot Nos. 84 and 85), Borough of Manhattan.

APPEARANCES—

For Applicant: Arnold W. Lederer, David I. Michaelson and Benjamin Silverfine.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative .. 0

THE RESOLUTION—

(103-40-A)

WHEREAS, David I. Michaelson, for Benjamin Silverfine, owner, filed January 29, 1940, an appeal from an order and decision of the fire commissioner; premises 294-296 Bowery, west side, 88 ft. 6 in. north of East Houston street (Block No. 521, Lot Nos. 84 and 85), Borough of Manhattan; and

WHEREAS, order No. 1970-LF, issued by the fire commissioner August 13, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26 Adm. Code."

and

WHEREAS, the decision of the fire commissioner dated January 3, 1940, reads:

"In reply to your request for reconsideration on Order No. 1970-LF pending against the above premises and requiring a sprinkler system in the cellar and sub-cellar, you are advised as follows:

A reinspection has been made and in view of the lack of ventilation, and the difficulty in reaching all portions of cellars with effective fire streams, your request must be denied."

and

WHEREAS, the building is four stories, cellar and subcellar (49.8 ft.) in height, 46.4 ft. by 92 ft. in area; of Class 3 construction; located in a business use B area district; erected in 1923, and occupied: cellar and subcellar, storage of restaurant equipment, 2 persons; first floor, stores, 50 persons; second floor, storage of restaurant equipment, 2 persons; third floor, assembling electric fixtures, 50 persons; fourth floor, same, 50 persons; and

WHEREAS, Certificate of Occupancy No. 7478-23 was issued December 13, 1923, permitting the use of the cellar and subcellar for storage, first floor for stores, and the second, third and fourth floors as a factory, 50 persons per floor; and

WHEREAS, the applicant contends that the subcellar and cellar are used in conjunction with the first story store, which floor is used for the sale of crockery and metallic kitchen utensils, which are incombustible materials; that the storage is maintained in such a manner so as not to support combustion easily, all of the crockery being placed in units and stored in bins, which are part of the premises; that adequate aisles are provided to each bin and kept free and clear of any loose, inflammable material; that the subcellar exists only in the portion of premises known as 296 Bowery and not in 294 Bowery; that the boiler room is located at the rear of subcellar at 296 Bowery and is shut off from the storage rooms by a terra cotta wall, having fireproof self-closing doors at openings; that this boiler room leads directly to the front area wherein is located a stationary iron ladder to street, with a door therein maintained in good condition and easily openable; that the ceiling of the storage room in subcellar is covered with plaster boards and 26 gauge metal; that the boiler room ceiling is now covered with 1/2-inch plaster boards and plaster; that both cellar ceil-

ings are now covered with metal; that the stairs leading from subcellar and cellar in 296 Bowery are enclosed in fireproof construction, and openings between both cellars are protected with approved Underwriters' doors on both sides of the wall; that the stairs leading from cellar to first story in 294 Bowery are enclosed in brick walls with a fireproof door at the top, the stairs being constructed of concrete with a cement finish; that the existing stairs in the front of 294 Bowery will be made readily accessible for exit purposes; that adequate ventilation for the cellar is provided by means of 12 x 20 in. grills set in the show window bulkheads.

Resolved, that the order of the fire commissioner, No. 1970-LF, be and it hereby is granted on condition that there shall be installed throughout the cellar and subcellar, except the boiler room area, a dry sprinkler system meeting all the requirements of the building code therefor, except that no street connection with the water line shall be required; that all fittings shall be of malleable iron; that sprinkler lines may be placed close to the ceiling with heads pendant; that such heads may be spaced 25 per cent in excess of the requirements; that there shall be installed on the street front a single hose inlet not less than 12 inches above the sidewalk grade; that the cap of such hose inlet and sign stating area covered shall be painted aluminum; that no automatic fire alarm in connection with such sprinkler system need be installed.

108-40-A.

APPLICANT—John W. Ziegler, for A. T. Stewart Realty Company, owner (John Wanamaker, lessee).

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—772-786 Broadway, east side, entire block from East Ninth street to East Tenth street, 71-91 East Ninth street, 60-74 East Tenth street and 60-74 Fourth avenue (Block No. 555, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John W. Ziegler and Fred Schmertz.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(108-40-A)

WHEREAS, John W. Ziegler (John Wanamaker, lessee), for A. T. Stewart Realty Company, owner, filed January 26, 1940, an appeal from an order of the fire commissioner; premises 772-786 Broadway, east side, entire block from East Ninth street to East Tenth street, 71-91 East Ninth street, 60-74 East Tenth street and 60-74 Fourth avenue (Block No. 555, Lot No. 1), Borough of Manhattan (Wanamaker's Department Store); and

WHEREAS, the order of the fire commissioner, No. 17460-LF, dated December 27, 1939, reads:

"1. Install an approved standpipe system. Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, the building is six (6) stories (92 ft.) in height, 189 ft. by 290 ft. in area, of non-fireproof construction, equipped with a sprinkler system, erected in 1862 and occupied throughout as a department store with sprinkler curtain in addition around rotunda on upper three floors; and

WHEREAS, the applicant contends that the building is equipped with a 2 1/2 inch standpipe line installed prior to 1915; that this standpipe is cross connected and fed from four 5,000 gallon tanks on the south building, with a pressure at nozzle at top floor of 55 lbs.; that the building is supervised by a fire prevention organization and fire drills are conducted daily; that the building is fully sprinklered and equipped with an A.D.T. alarm system with stations on all

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floors; that the building is equipped with adequate exits; that the third, fourth and fifth floors have exits by means of a bridge to the building located on the south side of East Ninth street; that the sprinkler system is fed from four 5,000 gallon tanks and two 10,000 gallon tanks, making a total capacity of 40,000 gallons, and in addition there are two 30,000 gallon reservoirs in sub-basement, which feed a 1,000 gallon per minute fire pump; that there are 4 high pressure hydrants located one on each street front; that there is no portion of the building used for factory.

Resolved, that the order of the fire commissioner, No. 17460-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the fire protection within the building shall be maintained as described and the existing standpipe lines shall be maintained to the satisfaction of the fire commissioner.

221-40-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street to 138 ft. west of the west side of Truxton street, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350, and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(221-40-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed March 1, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises west side of Cabot street to 138.0 ft. west of the west side of Truxton street, and 82.03 ft. south of Oak Point avenue to East River, (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on F.P. Applic. No. 698-1939, dated March 7, 1940, reads:

"3. Provide a yard hydrant for each twenty thousand square feet of area. Sec. 16.9, Par. d.

4. Submit statement from Department of Water Supply, Gas and Electricity, showing compliance with Sec. 16.6.3.1 or provide tank or fire pump (16.9). Yard hydrant system to have a direct connection to a main independent of sprinkler main.

5. Show that a maximum distance between hydrants is 250 ft. (16.9).

7. Provide monitor nozzles as may be required by the Superintendent. 16.9 Par. 6.

15. Number of siamese connections to be satisfactory to Superintendent. Sec. 16.4.8.1."

and

WHEREAS, the premises consist of a plot 702 ft. by 1345 ft., irregular in area, upon which is erected a group of buildings used for the manufacture of gypsum blocks; and

WHEREAS, it is proposed to install a yard hydrant system with two sprinkler installation connections, as shown on plans filed with this appeal; the proposed yard hydrant system will be connected to an 8-inch city main on Oak Point avenue, fed two ways; and

WHEREAS, the applicant has filed a report of a test made by the Department of Water Supply, Gas and Electricity, indicating a static pressure of 43 lbs. per sq. in. on the hydrant located on Oak Point avenue; and

WHEREAS, the applicant contends that the plant and type of construction are not hazardous to the extent that a yard hydrant system would be required by the code; that the only combustible material stored on the premises will be newspaper stored in a space about 30 ft. by 60 ft. on the first floor of the Board Mill, paper bags stored in a space about 40 ft. by 50 ft. on the first floor of the Mixer Building, and wood fibre in bales stored in a space about 30 ft. by 50 ft. on the second floor of the Block Plant; that all of the spaces are to be equipped with sprinkler systems connected to approved yard hydrant system, as shown on plans filed with this appeal.

Resolved, that the decision of the borough superintendent on F.P. Applic. No. 698-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Items 3, 4, 5, 7 and 15, *on condition* that the yard hydrant system shall be installed substantially as shown on plan labeled "Underground fire protection system, Contract No. 787, Drawing No. N.Y.W. 52", marked "Received March 21, 1940," which plan is represented as complying with the requirements of the Associated Factory Mutual Fire Insurance Companies; *further on condition* that a post indicator valve shall also be installed at the northerly line of the property at Oak Point avenue; that in all other respects the layout as proposed, shall be installed and maintained by the satisfaction of the fire commissioner; that the water pressure shall be as certified to by the Department of Water Supply, Gas and Electricity; that the monitor nozzles may be omitted; and, *granted* only so long as the plant is occupied by the National Gypsum Company or their successors for the general manufacture of gypsum products; that in all other respects the buildings and occupancies shall comply with all laws, rules and regulations applicable thereto, as modified by the Board under Cal. Nos. 701-39-A, 1096-39-A, 1097-39-S, 120-40-A and 121-40-S.

271-40-A.

APPLICANT—Arnold W. Lederer, for Reorga Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2325 West street, east side, 220 ft. south of Avenue W (Block No. 7176, Lot No. 67), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative

0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

THE RESOLUTION—

(271-40-A)

WHEREAS, Arnold W. Lederer, for Reorga Realty Corporation, owner, filed March 12, 1940, an appeal from a decision of the borough superintendent of buildings; premises 2325 West street, east side, 220 ft. south of Avenue W (Block No. 7176, Lot No. 67), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. No. 3039-1939, dated March 11, 1940, reads:

"M. D. Law—

1. As building was erected under N.B. Permit 8402-31, same to comply with Section 8 for a Hereafter Erected Multiple Dwelling.

2. Note definition of a Converted Dwelling under Section 4, subdiv. 8.

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3. Section 177, Subdiv. 2, does not apply to this type of building."

and
WHEREAS, the building is two stories and basement (30 ft.) in height, 20 ft. by 56 ft. 4 in. in area, of Class 3 construction, erected in 1931, located in a residence use D area district and occupied: basement, one family; first floor, one family; second floor, one family; and

WHEREAS, Violation No. 3284-39 was issued June 27, 1939, for occupying the building (as at present) without obtaining a certificate of occupancy therefor; and

WHEREAS, the applicant contends that this application is not for a variance of the Multiple Dwelling Law but is based on the interpretation of section 177 Multiple Dwelling Law, wherein it was intended that 3 family occupancies introduced in brick buildings prior to 1933 could be maintained, so long as proper living conditions were provided; that no alterations are proposed; and

WHEREAS, in the opinion of the Board, the building in question does not fall within the provisions of section 177, subdivision 2 of the Multiple Dwelling Law, as there is no side line court on at least one side not less than two feet wide extending from street to yard.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3039-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

273-40-A.

APPLICANT—Spear and Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—166-02 to 166-08 Jamaica avenue and 92-01 to 92-07 166th street, southeast corner (Block No. 1169, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Harry J. Stein, James M. Spear, Paul Kaufman and Jacob Moskowitz.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(273-40-A)

WHEREAS, Spear and Company, owner, filed March 13, 1940, an appeal from an order and a decision of the fire commissioner: premises 166-02 to 166-08 Jamaica avenue and 92-01 to 92-07 166th street, southeast corner (Block No. 1169, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, order No. 3963-LF, issued by the fire commissioner January 10, 1940, reads:

"1. Install an adequate interior electric fire alarm system in accordance with the Rules of the Board of Standards and Appeals and the enclosed approved layout. Section 487e-2.0.C2 Administrative Code.

2. Provide telegraphic communication with Fire Department Headquarters as provided for by the Administrative Code. Section 487e-2.0.C2, Adm. Code."

and

WHEREAS, said order was referred to in decision of the fire commissioner, dated March 4, 1940; and

WHEREAS, the building is six stories (78 ft.) in height, 80 ft. 3½ in. by 92 ft. 10¾ in. in area; of Class 1 construction; erected in 1934; located in a business use district; and occupied: cellar, furniture salesroom; first floor, furniture salesroom and delivery space; mezzanine, furniture salesroom and offices; upper stories, furniture salesroom. Certificate of Occupancy No. 50871 was issued July 12, 1934, per-

mitting the occupancy of the building as a furniture salesroom throughout; and

WHEREAS, the applicant contends as to objection No. 1, that section 487e-2.0.C2, of the Administrative Code contains no provision authorizing the commissioner to require the installation of an interior fire alarm system nor does the section contain any provision authorizing the commissioner to require a telegraphic communication system with fire department headquarters in a building of this character; as to objection No. 2, that the said premises are not used for any purpose, nor are they of such construction, which would authorize the fire commissioner to require the installation of an interior electrical fire alarm system and telegraphic communication, pursuant to any provision of law; and

WHEREAS, the applicant requested a determination solely on the question of department store occupancy; and

WHEREAS, the Board deemed that the fire commissioner correctly classified the occupancy as a department store, and that the order appealed from was properly issued.

Resolved, that the order of the fire commissioner, No. 3963-LF, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

276-40-A.

APPLICANT—Air Control Corporation of New York, for Schweisheimer and Fellerman, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—324 Avenue A and 500 East 20th street, southeast corner (Block No. 977, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Stewart B. Siefken and Edwin W. M. Gring.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(276-40-A)

WHEREAS, Air Control Corporation of New York, for Schweisheimer and Fellerman, owner, filed March 13, 1940, an appeal from an order and a decision of the fire commissioner, affecting premises 324 Avenue A and 500 East 20th street, southeast corner (Block No. 977, Lot No. 54), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 20506-C, dated February 13, 1940, reads:

"Pursuant to the requirements of the Rules governing the use of equipment for spraying of paints, varnishes, lacquers and other flammable surface coatings, adopted by the Board of Standards and Appeals, the following must be done:

1. Discontinue the practice of using portable cord as circuit wiring and replace it with approved wiring properly protected in rigid iron conduit. Rule 4.5.5.

2. Replace all fixtures within 10 feet of spray booth with fixtures of the rigid stem type equipped with keyless sockets and guarded vaporproof globes. Rule 4.5.1.

3. Replace fan and compressor motors of the totally enclosed type design for use in an explosive atmosphere. Rule 4.4.

4. Replace all switches and receptacles within ten feet of spray booth with equipment especially designed for explosive atmospheres. Rule 4.4.

6. Have person or persons whose duty it is to see that the spray dipping and immersing rules and the terms of the permit are not violated apply for and procure a certificate of fitness. Rule 3.1."

and

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WHEREAS, the decision of the fire commissioner, dated February 14, 1940, reads:

"Replying to your letter regarding Order No. 20,506-C, please be advised that, while Rule 1 of the SPRAY RULES reads that the Fire Commissioner may exempt persons using less than two quarts of paint a day he will not modify or exempt anyone from compliance with these regulations. As stated in notation on the order you may appeal to the Board of Standards and Appeals for relief from this decision."

and

WHEREAS, the building is four stories (48 ft.) in height, 25 ft. by 100 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1870, and occupied: cellar, boiler room and storage; no persons; first floor, manufacturing sausage casings, 15 persons; second floor, tin-smithing, 5 persons; third floor, manufacturing and gilding picture frames, 3 persons; fourth floor, assembling and painting of machine parts, 4 persons; and

WHEREAS, the applicant contends that the greater part of the work is in assembling parts; that the quantity of paint required for manufactured interior parts is under two quarts per day.

Resolved, that the order of the fire commissioner, No. 20506-C, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the amount of paint used within that portion of the building occupied by the Air Control Corporation shall not exceed one (1) quart per day; and that all other items of the order, other than items 1, 2, 3, 4 and 6 shall be complied with.

288-40-A.

APPLICANT—William J. Boegel, for St. Kevin's Roman Catholic Church, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—45-66 195th street, northwest corner of 46th avenue (Block No. 5536, Lot No. 41), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William J. Boegel.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(288-40-A)

WHEREAS, William J. Boegel, for St. Kevin's Roman Catholic Church, owner, filed March 16, 1940, an appeal from a decision of the borough superintendent; premises 45-66 195th street, northwest corner of 46th avenue (Block No. 5536, Lot No. 41), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 8310-1939, dated February 23, 1940, reads:

"1. Proposed amendment for ventilation inadequate; provide adequate ventilation as per Sec. 5.1.9.1."

and

WHEREAS, the building will be three stories (47 ft.) in height, 181 ft. 9 in. by 57 ft. 6 in. in area; of Class 1 construction; located in a residence use D area district, and occupied: cellar, boiler room and storage; first floor, auditorium and cafeteria, 733 persons; mezzanine, lounge and toilet rooms, 80 persons; second floor, class rooms and offices, 320 persons; third floor, same, 320 persons; and

WHEREAS, the applicant contends that all the rooms as now planned will have large window openings fitted with double-hung reversible sash; that the windows are almost sufficient in size to meet the requirements of Article 6 of the Building Code "Ventilation"; that in lieu of additional windows a

system of ventilating ducts and plenum chambers will be provided as shown on drawings 7, 8 and 103 attached; that the rooms are not used for continuous periods of more than two hours; that the building is occupied for approximately only 180 days in each year; that the system of ventilating ducts and plenum chambers proposed follows the recommendations of the New York Commission on Ventilation.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. No. 8310-39, objection No. 1, be and it hereby is modified, and that the appeal be and it hereby is granted so as to permit the proposed ventilation, limited to a ventilation of the classrooms on the second and third floors only, on condition that the plenum chambers and ducts to roof shall be constructed substantially as shown; that clean-out doors shall be installed in the plenum chamber on each floor; that such plenum chambers and vertical ducts shall be cleaned periodically and all dust and dirt removed; that at each ventilating opening to plenum chamber a reflector shield shall be constructed as indicated on plans filed herewith.

290-40-A.

APPLICANT—Kolff and Kaufmann, Inc., for Mrs. F. McWilliams, owner (Clara H. Brooks, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond.

APPEARANCES—

For Applicant: Louis W. Kaufmann.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(290-40-A)

WHEREAS, Kolff and Kaufmann, Inc. (Clara H. Brooks, lessee), for Mrs. F. McWilliams, owner, filed March 19, 1940, an appeal from a decision of the borough superintendent; premises 36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent on B.N. Applic. No. 100-1940, dated March 12, 1940, reads:

"Contrary to Building Code (Sec. C26-254.0, Heights and Area Limits—Table) to convert a frame dwelling exceeding 600 sq. ft. area and one-story height, to a school occupancy on 1st floor."

and

WHEREAS, the premises consist of a plot of ground 100 ft. by 125 ft. in area, upon which there exists a 2½ story frame building, 30 ft. 4 in. by 30 ft. 6 in. in area; erected in 1909; located in a residence use C area district; occupied as a one-family dwelling. It is proposed to occupy the building: first floor, kindergarten school, 30 children; second floor, dwelling, one family; attic to remain vacant; and

WHEREAS, the applicant contends that the building has been vacant for some time and is too large for its original one-family occupancy and that it is difficult to rent as such; that the proposed use is needed in the neighborhood; that the nearest dwelling is 54 ft. distant from the building in question; that the first floor, which is to be occupied for school purposes, has two (2) exits.

Resolved, that the decision of the borough superintendent, acting on B.N. Applic. No. 100-40 be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the plot shall not be reduced in area; that the building shall not be increased in height or area; that no additional buildings shall be constructed on the plot; that the cellar ceiling throughout shall be maintained in good plastered condition; that the opening between the cellar and the garage

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shall be blocked up with approved masonry; that the wood partition adjoining the heater shall be removed; that the heater shall comply with all laws, rules and regulations applicable thereto; that the door to cellar on the first floor shall be made self-closing; that the window at the dining-room alcove shall be made readily openable and steps shall be provided from the sill to the adjoining court; that the proposed kindergarten school shall be maintained on the first floor only, with not more than thirty (30) children in attendance; that the second floor shall be used solely as a dwelling for one family; that the attic shall be unused for human occupancy; that there shall be an attendant in charge of the building at all times during the school session.

1488-21-A.

APPLICANT—USL Battery Corporation, owner (Liberty Corrugated Container Corporation, P. Sorenson Manufacturing Co., Inc., Modcraft Co., Inc., Metal Manufacturing Co. and Metallizing Engineering Co., lessees).

SUBJECT—Application reopened March 19, 1940, re Appeal from an order and a decision of the fire commissioner (previously granted by the Board).

PREMISES AFFECTED—21-07 41st (Wilbur) avenue, north side, 100 ft. west of 22nd street (Block No. 410, Lot No. 46), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Julius Eckman, Charles E. Bense and Arthur Huston.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(1488-21-A)

WHEREAS, this appeal from an order of the fire commissioner to install a standpipe system, affecting premises 21-07 41st (Wilbur) avenue, north side, 100 ft. west of 22nd street (Block No. 410, Lot No. 46), Long Island City, Borough of Queens, was granted by the Board January 24, 1922, on condition that the use and occupancy remain unchanged, and so long as a free and uninterrupted courtway at least 30 ft. wide be maintained at the rear of the building, and that a 40 gallon portable chemical fire extinguisher on wheels be maintained on each floor; and

WHEREAS, it appears that the occupancy has been changed and that a new order has been issued by the fire commissioner and applicant has requested a reopening of this appeal and amendment of the resolution; and

WHEREAS, this appeal was reopened by vote of the Board March 19, 1940; and

WHEREAS, Order No. 1637-LF, issued by the division of fire prevention of the department of buildings November 7, 1938, reads:

"1. Install an approved standpipe system in accordance with Art. 17, Chapt. 26, Admin. Code."

and WHEREAS, said order was referred to in a decision of the fire commissioner, dated February 13, 1940; and

WHEREAS, the building is five stories (66 ft. 2 in.) in height, 95 ft. by 187 ft. in area; of Class 1 construction; erected in 1916; located in an unrestricted use district and occupied: cellar, storage, manufacturing and delivery of corrugated cartons, 35 persons; first floor, same; second floor, manufacturing of automobile ignition parts, 45 persons; third floor, manufacturing of beauty parlor equipment, 12 persons; fourth floor, manufacturing of screw machine prod-

ucts, 12 persons; fifth floor, manufacturing of spray guns, 15 persons; and

WHEREAS, Certificate of Occupancy No. 22766 was issued June 25, 1926, giving the building an occupancy classification of "loft building" and giving the construction as brick; the use throughout as loft building, no occupancy stated; and

WHEREAS, the applicant contends that following the adoption of the resolution of the Board on January 24, 1922, 40-gallon portable chemical extinguishers were provided on each floor of the building; that access to the rear of the building by means of a 30 ft. wide court is maintained; that the present use of the building is not more hazardous than it was at the time of the Board's previous action, to make it necessary now to install a standpipe system as required by the order; that the building is equipped throughout with an approved automatic 2-source sprinkler system; that watchman's service is maintained at night; that Section C26-1381.0 b 3 would seem to exempt this building from the requirements of a standpipe system; that the Board is requested to amend the resolution so as to permit any subsequent change in occupancy which is not substantially more hazardous than at present.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on January 24, 1922, so that as amended it shall read:

"Resolved, that the order of the fire commissioner, No. 25580-F, dated August 12, 1921, be and it hereby is modified and that the appeal be and it hereby is granted so long as the use and occupancy remain unchanged, and so long as the free and uninterrupted courtway, at least 30 ft. wide, is maintained at the rear of the building, and on further condition that a 40 gallon portable chemical fire extinguisher on wheels be maintained on each floor.

Resolved further, that in view of the order issued by the Division of Fire Prevention, No. 1637-LF, because of the change of occupancy, the requirements of this resolution may still hold, provided the occupancy is not deemed extra-hazardous by the fire commissioner; that the sprinkler system is maintained to the satisfaction of the fire commissioner; that the watchman system is maintained throughout the building, and that such additional portable fire extinguishers are maintained on each floor as the fire commissioner shall direct."

61-39-A.

APPLICANT—Philip Rosenblatt, lessee.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—133 Bowery, east side, 50 ft. 1 in. north of Grand street (Block No. 423, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip Rosenblatt.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(61-39-A)

WHEREAS, Philip Bardes, for Philip Rosenblatt, lessee, filed January 17, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 133 Bowery, east side, 50 ft. 1 in. north of Grand street (Block No. 423, Lot No. 3), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 14753-LC, dated November 7, 1938, reads:

"1. Discontinue the storage and use of nitrocellulose

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products on the premises mentioned above for the following reasons:

- A—Building is not equipped with an approved system of automatic sprinklers. Sec. C19-110.6
- B—Vertical openings in building between floors, including stairways, elevators and dumb-waiters are not enclosed or otherwise protected as specified in title C of Chapter 26 of the Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated January 9, 1939; and

WHEREAS, the building is 25 ft. 1 in. by 86 ft. 7 in. in area at first floor, 25 ft. by 50 ft. in area above, three stories (34 ft. 6 in.) in height, of non-fireproof construction, erected in 1840; located in an unrestricted use district and occupied: cellar, storage; first floor, store, 2 persons; second floor, office and manufacturing of celluloid novelties, 3 persons; third floor, vacant; and

WHEREAS, the applicant contends that the celluloid work is done on the rear of the second story extension; that not more than 30 lbs. of celluloid will be stored at one time and when not in use, will be stored in an approved type metal container, vented to the outer air and located at the rear wall; that a small electric roller is used to adhere the celluloid to photographs; that there is a man in attendance at this roller during the operation; that in view of the small occupancy and small amount of celluloid stored, it is respectfully requested the application be granted; and

WHEREAS, this appeal was granted by the Board February 21, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on February 21, 1939, be and it hereby is amended, so that as amended the resolution will read:

"Resolved, that the order of the fire commissioner, No. 14753-LC, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that not more than 30 lbs. of sheet celluloid shall be maintained on the premises in connection with the manufacturing operations; that such celluloid shall be stored in an approved metal cabinet; that the ceiling throughout the second story shall be protected with a metal ceiling; that in addition there shall be a sprinkler head on the ceiling over the area where such celluloid is being processed, such sprinkler head to be connected with the domestic water supply of the building; that this modification shall continue only so long as conditions as set forth and required by this resolution are maintained to the satisfaction of the fire commissioner, and so long as the story above is not occupied for materials deemed extra-hazardous by the fire commissioner."

APPLIANCE SUBMITTED FOR APPROVAL.

269-40-SA.

APPLICANT—The Linde Air Products Company, owner.
SUBJECT—Linde Air Products Co., Carbic Flood Lights, Types CFL 2 and CFL 3, approval of.

APPEARANCES—

For Applicant: H. C. Stelling.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(269-40-SM)

WHEREAS, The Linde Air Products Company, owner, filed March 11, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as "Carbic" Flood Lights, Types CFL 2 and CFL 3; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 269-40-SM.

Approval of "Carbic" Flood Light, Types CFL 2 and CFL 3.

The Linde Air Products Company, owner, filed March 11, 1940, an application with the Board of Standards and Appeals for approval of the Carbic Flood Light, Types CFL 2 and CFL 3, under the provision of C19-92.0 Administrative Code. These carbic flood lights are portable and are manufactured by the Prest-O-Lite Company, Indianapolis, Indiana, for The Linde Air Products Company, both companies being units of the Union Carbide and Carbon Corporation. The Carbic Flood Light operates on the water recession principle and consists of three main parts, water tank, cake holder and gas bell. These parts are arranged to slip with each other. There are no moving parts.

Cakes of processed carbide rest one on top of another in the cake holder. When the stopcock is opened, the acetylene passes from the gas bell, the water rises in the gas bell and comes into contact with the bottom of the lowest cake of processed carbide until sufficient acetylene is generated to force the water down again and away from the cake. This process is continually repeated during the operation of the flood lights.

As the bottom cake of processed carbide is consumed, the cakes above move down so that the point of generation is held at a constant level and a uniform acetylene pressure is maintained. The cakes do not rest on a pad of spent carbide since the residue settles to the bottom of the water tank.

A filter located between the gas bell and the stopcock frees the acetylene of moisture and solid particles. From the filter, the generated acetylene passes out through the brass stopcock and extension pipe to the burner.

The flood lights operate on a uniform, low acetylene pressure of less and 1 lb. per sq. in. If the flood lights should accidentally upset during operation, the water runs out of the tank, and generation of acetylene stops.

Two ground swing joints, located on the extension pipe assembly, permit the reflector to be adjusted both vertically and horizontally at any desired angle without moving the water tank.

Type CFL 2 has one burner and Type CFL 3 has two burners. The specifications for these types are as follows:

Type CFL 2

Height, Reflector up (in.)	78
Height, Reflector down (in.)	45
Weight, Empty (lb.)	44
Weight, Fully Charged (lb.)	119
Diameter at Base (in.)	14
Diameter of Reflector (in.)	13
Charge (No. 20 cakes "Carbic" processed carbide)	
2½ lbs each	1 to 4
(Will burn from 3 to 12 hrs. depending on number of cakes charged.)	
Maximum Acetylene Capacity (cu. ft.)	40
Water Capacity (gal.)	7¾
Candle Power	8,000

Type CFL 3

Height, Overall (in.)	79
Weight, Empty (lb.)	79
Weight, Fully Charged (lb.)	200
Diameter at Base (in.)	14
Diameter of Reflector (in.)	13
Charge (No. 20 cakes "Carbic" processed carbide)	
2½ lbs. each	1 to 8
(Will operate both burners from 1½ to 12 hrs. depending on number of cakes charged.)	
Maximum Acetylene Capacity (cu. ft.)	80
Water Capacity (gal.)	12
Candle Power	16,000

MINUTES

All the sheet metal parts used in these lights are made of galvanized iron of the thicknesses given below:

	CFL-2	CFL-3
Water Tank Shell	.0375	.0375
Water Tank Bottom ..	.0375	.050
Gas bell	.0375	.0375
Cake holder	.0375	.0375
Cake holder stand	$\frac{1}{8} \times 1$	$\frac{1}{8} \times 1\text{-}3/16 \times 1\frac{1}{4}$
Cake holder basket	.148	.165

The top edge of water tank is reinforced and carries lugs for securing the gas bell in position during operation. Each size has handles for carrying and a bead near the handles to indicate the proper water level when charging.

The flood lights have been approved by the Underwriters Laboratories, File No. A542.

These flood lights were inspected and tested by the Committee on Tests March 12, 1940, and found to operate satisfactorily. On the basis of the above tests it is recommended that the "Carbic" (Portable) Flood Light, Types CFL 2 and CFL 3 be approved for use in New York City on condition that the lights be manufactured and installed in accordance with this report and with the requirements of C19-92.0 Administrative Code and on condition that the lights bear a label permanently affixed reading, "Approved by the Board

of Standards and Appeals for use in New York City under Cal. No. 269-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the "Carbic" Flood Lights, Types CFL 2 and CFL3, on condition that the appliance be manufactured, operated, and labeled, stamped or tagged in accordance with above report and that this appliance shall not be installed indoors except in a location approved by the fire commissioner.

Recessed at 5:45 P.M. to 10:00 A.M., March 27th; Reconvened March 27th, at 10 A.M.; Adjourned 11:40 A.M.

JOSEPH J. DOYLE, Chief Clerk.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 3, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, Similar Materials and Adhesives used for Decorative Purposes, Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drapery, curtain and scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire in accordance with the requirements of the commissioner, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate, C19-161.1 except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 2 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall

be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarter ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coating.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarter ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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39-BZ, 1532-39-BZ-WF, and 68-40-BZ.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directons.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to April 9, 1940.

Cal. No. Department. Premises Affected.

335-40-BZ....H.B.Q.....246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens, N.B. 818-40.

336-40-BZ....H.B.Q.....40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens, N.B. 10301-39.

337-40-SA.....The Joyce-Gridland Company Hydraulic Automobile Lifts, Appliance.

338-40-A.....H.B.Bx.. Southeast corner of East 151st street and Exterior street (Block No. 2497, Lot No. 34), Borough of The Bronx, Alt. 62-40.

339-40-SM.....Aetna One and One-half Hour Hollow Steel Fire Door, manufactured by Aetna Steel Products Corporation, Material.

340-40-SM.....Peele Counterbalanced Dumbwaiter Door and Peele Counterbalanced Elevator Door, manufactured by The Peele Company, Material.

341-40-A.....F.D.....148-154 Ashland place, southwest corner of Lafayette street (Block No. 2087, Lot Nos. 25 and 23), Borough of Brooklyn, 81875-L.C. and Decision.

342-40-BZ....H.B.Q.....31-15 42nd street, east side, 97.5 ft. south of 31st avenue, and 31-18 43rd street, west side, 151.5 ft. south of 31st avenue (Block No. 692, Lot Nos. 36, 37 and 51), Astoria, Borough of Queens, Misc. Applic. 1263-40.

343-40-A.....F.D.....218-27 Jamaica avenue, south side, 18 ft. west of 219th street (Block No. 1645, Lot No. 36), Queens Village, Borough of Queens, 81940-C and Decision.

344-40-BZ....H.B.M....131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan, Alt. 456-40.

345-40-A.....H.B.Q.....116-15 Marsden street, north side, 111.54 ft. east of 116th avenue (Block No. 3097, Lot No. 42), Jamaica, Borough of Queens, N.B. 9203-38.

346-40-SM.....Cedar Hollow Pulverized Lime, Limoid (Hydrated Lime) and Knickerbocker Hydrated Lime, manufactured by Warner Company, Material.

347-40-BZ....H.B.M....479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20-28, inclusive, and 47-53, inclusive), Borough of Manhattan, N.B. 212-38.

348-40-SM.....Paragon Sand-Lime Brick, manufactured by Paragon Brick, Inc., Material.

349-40-BZ....H.B.Bx...606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx, Decision—re Certificate of Occupancy.

350-40-BZ....H.B.Bx...1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx, Alt. 155-40.

351-40-BZ....H.B.B....1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn, N.B. 763-40.

352-40-SM.....Jersey Hollow Structural Clay Partition and Furring Tile (Non load-bearing), manufactured by New Jersey Hollow Tile Corporation, Material.

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tured by The Terry Brothers
Company, Material.

364-40-SM.....	Brigham Clay Building Brick (Hudson River Brick), manu- factured by Brigham Bros., Material
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365-40-SM.....Roah Hook Clay Building Brick
(Hudson River Brick), manu-
factured by Roah Hook Brick
Company, Material.

366-40-SA.....S.S. White Non-Siphoning Cus-
pidor, No. 7, Appliance.

367-40-A.....F.D.....291 Thatford avenue, east side,
150 ft. north of Livonia ave-
nue (Block No. 3577, Lot No.
10), Borough of Brooklyn,
83038-L.C.

368-40-BZ....H.B.B....2-14 Plaza street and 405-413
Flatbush avenue, northeast
corner (Block No. 1169, Lot
No. 1), Borough of Brooklyn,
Alt. 20-40.

Restored to Calendar.

285-36-BZ....H.B.Q.....72-27 Cypress Hills street, north-
east side, 199 ft. south of
Myrtle avenue (Block No.
3600, Lot No. 125), Glendale,
Borough of Queens,
Misc. Applic. 1127-40.

1613-17-BZ....H.B.Q....107-36 Queens boulevard, south
side, 130.56 ft. west of Con-
tinental avenue (Block No.
2049, Lot No. 3), Forest Hills,
Borough of Queens,
Alt. 421-40.

935-24-SA.....Blackmer Pump Company, Rotary Pump Shaft Seal No. 42, Appliance.

177-32-BZ....H.B.M....160-166 West End avenue and
251-261 West 67th street,
northeast corner (Block No.
1159, Lot No. 1), Borough of
Manhattan,
Decision—re Certificate of
Occupancy.

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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

ORDERS OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On April 6, 1940, Murray J. Lefcourt, attorney, served on Board order and petition, on behalf of 500 East 117th Street Corporation, owner, in re decision of the Board of February 6, 1940, affirming the decision of the Borough Superintendent in denying issuance of certificate of occupancy, Cal. No. 76-40-A, premises 316 Pleasant avenue, Borough of Manhattan.

* * *

On April 9, 1940, Philip Adelman, attorney, served on Board petition and order of certiorari, on behalf of Bert Cohen, lessee, in re decision of Board of March 26, 1940, denying zoning variance to permit parking, under section 7-h, Cal. No. 17-40-BZ, at premises 160-168 East 110th st., Borough of Manhattan.

COURT DECISION

Traylow Realty Corp. vs. Murdock—On June 2, 1939, the Board revoked permits issued under N. B. Application 441 of 1937 and F. P. Application 706 of 1937, on the ground that the permits were illegally issued after the change of zone had become effective changing the district from unrestricted to residence use, and offices and gasoline stations became a prohibited use, Cal. Nos. 329-39-A and 330-39-A, premises n.w. corner of Ferris and Seaman avenues, The Bronx. Mr. Justice Hofstadter reversed the Board (N.Y.L.J. April 6, 1940), his decision reading as follows:

"The determination of the respondents is annulled and the action taken by the borough superintendent of buildings is affirmed. The installation of the gasoline tanks was authorized by the permits issued on July 20, 1938. It is clear that the superintendent properly treated the construction as one operation and a single improvement for which a single permit was necessary. That the conclusion thus reached is consonant with equity and fair dealing is obvious from the facts disclosed. The application of the respondent to strike out the replies is denied."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....Jan.	16, 1940—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9
Fire Alarm Rules (Interior).....Sept.	12, 1939—Vol. 24, No. 37
Fire Drill Rules	Nov. 21, 1939—Vol. 24, No. 47
Fire Retarding Rules for Garages, etc.	Apr. 2, 1940—Vol. 25, No. 14
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Mar. 5, 1940—Vol. 25, No. 10
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 12, 1940—Vol. 25, No. 11
Oil Burner Rules	Mar. 26, 1940—Vol. 25, No. 13
Opening Protective Assemblies, Rules for Inspection of	Dec. 5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spraying Rules	Mar. 19, 1940—Vol. 25, No. 12
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply).....Nov.	7, 1939—Vol. 24, No. 45
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.Oct.	10, 1939—Vol. 24, No. 41
Smoking in Factories, Rules for	Apr. 2, 1940—Vol. 25, No. 14
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Mar. 26, 1940—Vol. 25, No. 13
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

APRIL 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58). Borough of Brooklyn.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1341-39-BZ—Application, October 31, 1939, under section 7h of the building zone resolution, of Sidney Rossman, applicant, on behalf of The Joseph Wechsler Estate, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gaso-

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line service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

AL. NO. 106-40-BZ—Application, January 29, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Marie Kienzle, owner (Colonial Beacon Oil Company, lessee), to permit in a business use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office, upon a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 6), Tompkinsville, Borough of Richmond.

AL. NO. 897-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Nordlinger, Riegelman and Cooper, applicants, on behalf of Adolph Lewisohn & Sons, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan.

AL. NO. 1479-39-BZ—Application, December 5, 1939, under section 21 of the building zone resolution, of Israel G. Seeger, applicant, on behalf of Luisa Prisco, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483-A, Lot Nos. 53 and 54), Borough of Brooklyn.

AL. NO. 1529-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn.

AL. NO. 1552-39-BZ—Application, December 29, 1939, under section 7h of the building zone resolution, of Antonie Sikora, applicant and executrix of Estate of Ludwig Sikora, deceased, as mortgagee in possession, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-15 Crescent street, northeast corner of 33rd avenue (Ridge street); (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens.

CAL. NO. 1025-39-BZ—Application of Frank Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, reopened January 3, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1516-39-BZ—Application, December 18, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of New York City Society of the Methodist Episcopal Church, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Grand Concourse boulevard and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert Sheffield Farms Company, Inc., owner, G. Zetsche, applicants, on behalf of to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 9, 1940, 2 P. M.

Appeals from Administrative Decisions.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

151-40-A—37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens.

225-40-A—37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens.

286-40-A—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

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291-40-A—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

320-40-A—334 Water street, north side, 48 ft. 6½ in. east of Roosevelt avenue (Block No. 110, Lot No. 40), Borough of Manhattan.

321-40-A—383 Water street, south side, 60.5 ft. west of Catherine Slip (Block No. 251, Lot No. 23), Borough of Manhattan.

328-40-A—262 Water street, west side, 70 ft. north of Pecks Slip (Block No. 106, Lot No. 8), Borough of Manhattan.

334-40-A—North side of Northern boulevard, Flushing River (Block No. 30, Lot No. 1), Corona, Borough of Queens.

341-40-A—148-54 Ashland place, southwest corner of Lafayette street (Block No. 2087, Lot Nos. 25 and 23), Borough of Brooklyn.

343-40-A—218-27 Jamaica avenue, south side, 18 ft. west of 219th street (Block No. 1645, Lot No. 36), Queens Village, Borough of Queens.

242-40-A—617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan.

244-40-A—371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2085, Lot No. 1), Borough of Brooklyn.

338-40-A—Southeast corner of East 151st street and Exterior street (Block No. 2497, Lot No. 34), Borough of The Bronx.

329-40-A—173-04, 173-08 and 173-12 47th avenue, southeast corner of Fresh Meadow lane and south side of 47th avenue, 49.48 ft. and 89.48 ft. east of Fresh Meadow lane (Block No. 5585, Lot No. 6), Flushing, Borough of Queens.

330-40-A—173-03, 173-07 and 173-11 47th avenue, northeast corner of Fresh Meadow lane and north side of 47th avenue, 50.62 ft. and 90.62 ft. east of Fresh Meadow lane (Block No. 5583, Lot No. 10), Flushing, Borough of Queens.

Variations of the Labor Law.

287-40-S—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

318-40-S—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

322-40-S—192 Broadway and 1-11 John street, northeast corner (Block No. 79, Lot No. 15), Borough of Manhattan.

323-40-S—13 East 16th street, north side, 241.10 ft. east of Fifth avenue (Block No. 844, Lot No. 10), Borough of Manhattan.

324-40-S—14 East 17th street, south side, 216 ft. east of Fifth avenue (Block No. 844, Lot No. 34), Borough of Manhattan.

325-40-S—16 East 17th street, south side, 241 ft. east of Fifth avenue (Block No. 844, Lot No. 33), Borough of Manhattan.

326-40-S—20 East 17th street, south side, 291 ft. east of Fifth avenue (Block No. 844, Lot No. 31), Borough of Manhattan.

APRIL 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Binger, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

CAL. NO. 1238-39-BZ—Application, October 6, 1939, under section 21 of the building zone resolution, of Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, applicants, on behalf of New York City Housing Authority (U. S. Housing Project NY 5-3), owner, to permit in a residence use district the maintenance of a garage for three (3) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers; 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

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CAL. NO. 1129-27-BZ—Application of Oscar Lowinson, applicant, on behalf of Renweis Holding Corporation, owner, reopened February 21, 1939, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan.

CAL. NO. 292-17-BZ—Application of Van Wart and Ackerman, applicant, on behalf of The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, owners, reopened February 27, 1940, under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1408-39-BZ—Application, November 16, 1939, under sections 7c and 21 of the building zone resolution, of Irving Kirshenblit, applicant, on behalf of Lydia D. Backus, owner (Edward Aibel, lessee), to permit in a business use district the extension of an existing gasoline service station and accessory buildings; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on be-

half of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

APRIL 16, 1940, 2 P. M.

Appeal from Administrative Decision.

313-40-A—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940, at 10 o'clock, in Room 1013, Municipal building, Manhattan, on the following matters:*

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side,

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300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

CAL. NO. 95-40-BZ—Application, January 27, 1940, under section 7h of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.

CAL. NO. 167-40-BZ—Application, February 13, 1940, under sections 7c and 21 of the building zone resolution, of Albert Mayer and Julian H. Whittlesey, applicants, on behalf of

240 Central Park South, Inc., owner, to permit, partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class "A" multiple dwelling having business use (stores and restaurant) on the first story; premises 232-240 Central Park South, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot No. 58), Borough of Manhattan.

CAL. NO. 282-35-BZ—Application of Paul Friedman, applicant, on behalf of Bay Parkway Holding Corporation, owner, reopened for rehearing on alleged new facts January 30, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court); premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1501-39-BZ—Application, December 13, 1939, under section 21 of the building zone resolution, of James R. Curreri, applicant, on behalf of R. Marinelli, owner, to permit in a residence use district the erection and maintenance of a business building (two (2) stores) and, also, the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

CAL. NO. 177-40-BZ—Application, February 14, 1940, under sections 7b and 7c of the building zone resolution, of H. I. Feldman, applicant, on behalf of Bonvenu Corporation, owner, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises 17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 23, 1940, 2 P. M.

Appeal from Administrative Decision.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

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APRIL 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 328-39-BZ—Application, March 15, 1939; dismissed for lack of prosecution March 19, 1940; reopened and restored to Calendar April 2, 1940, of Robert A. Pabian, applicant, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Cook, owners (Joseph Sliva, lessee), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 1422-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of J. & P. Development Corporation, owner, to permit in a residence use district the creation and maintenance of a gasoline service station, lubricatorium, auto laundry and office; premises 133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

AL. NO. 1242-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Alken Realty Corporation, owner (Shell Oil Company, Inc., lessee), to permit partly in a business use district and partly in an unrestricted use district, the erection and

maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MAY 3, 1940, 10 A. M.

Rules.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Appeals from Administrative Decisions.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

MAY 7, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 113-38-BZ—Application, February 23, 1938; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar March 12, 1940, under sections 7h and 21 of the building zone resolution, of Arthur Balley, applicant and lessee, on behalf of Keppler Company, Incorporated, owner, to permit, partly in a business use district and partly in a

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residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 163rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

CAL. NO. 85-39-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, reopened March 19, 1940, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

CAL. NO. 370-40-BZ—Application, April 10, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Frank P. Mandel and James M. Brooks, owners, to permit in a residence use district and, also, "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution; premises 1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue "S" (Block No. 6827, Lot No. 33), Borough of Brooklyn.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the extension of an existing stable

for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 14, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 67-33-BZ—Application of Stein and Wiener, applicants, on behalf of Harry Weissberg, owner, reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

CAL. NO. 1521-39-BZ—Application, December 19, 1939, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of Josephine Newman, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second

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avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 and 12), Borough of Manhattan.

CAL. NO. 88-40-BZ—Application, January 25, 1940, under sections 7a and 7g of the building zone resolution, of Joseph J. Campbell, applicant and lessee, on behalf of May E. Campbell, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion

in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

CAL. NO. 144-40-BZ—Application, February 3, 1940, under section 21 of the building zone resolution, of Benjamin B. Wesley, applicant, on behalf of Hadley Home Builders, Incorporated, owner, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 10 and part of Lot Nos. 1 and 12), Ozone Park, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, APRIL 2, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, March 5, 1940; the minutes of the regular meeting of the Board held on Tuesday afternoon, March 5, 1940, and the minutes of the Special Meeting of the Board held on Friday morning, March 8, 1940, were approved as printed in Bulletin No. 11, Vol. 25.

BUILDING ZONE CASES.

55-27-BZ.

APPLICANT—Shell Oil Company, Incorporated (lessee), for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new facts December 5, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance and reconstruction of a gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to April 16, 1940, at 10 A.M., on written request of applicant.

1012-39-BZ.

APPLICANT—Lama and Proskauer, for Abraham J. Stern, owner (Pilgrim Gas Stations, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension in area and the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—4902-4910 Kings highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard Austin and Abraham J. Stern.

For Opposition: George Angelastro.

ACTION OF BOARD—Laid over to April 23, 1940, at 10 A.M., for applicant to file revised plans not later than April 18th.

1483-39-BZ.

APPLICANT—Lama and Proskauer, for East River Savings Bank, owner.

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SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Sol A. Herzog.
For Opposition: Paul P. Meltzer, J. H. Lester and others.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

401-31-BZ.

APPLICANT—Sidney L. Strauss, for Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee).

SUBJECT—Application reopened June 20, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss and Thomas Karas.
For Opposition: Frank Thompson and Mary E. Quinn.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(401-31-BZ)

WHEREAS, Sidney L. Strauss, for Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee), reopened June 20, 1939, an application, under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 624-626 Atlantic avenue, 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Pacific street, Fort Greene place and Atlantic avenue are in unrestricted and business use districts; Fifth avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent on B.N. Application No. 8500-39, dated December 4, 1939, reads:

"Storage or parking of more than 5 motor vehicles prohibited in a business use district by Art. II, Sec. 4a(15) of Zone Resolution. Also the maintenance of gasoline pumps on the above plot as granted by the

Board of Standards and Appeals (401-31-BZ) expired as of May 25, 1939."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 65 ft. 4 in. on Pacific street, 200 ft. on Fifth avenue and 80 ft. on Atlantic avenue; upon the northerly portion of the plot is located two 550-gallon tanks, two gasoline pumps and a diner; it is proposed to abandon the use of the tanks and pumps and to use the remainder of the plot, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, for a temporary term of two (2) years, to permit the plot under appeal to be occupied for the parking and storage of motor vehicles, on condition that only motor vehicles of the pleasure-car type shall be so stored and parked; that the premises shall be regraded substantially to the general grade of Atlantic avenue and Fifth avenue, and shall be surfaced with steam cinders, clean gravel or other suitable gravel, properly rolled and bound to prevent dusting; that there shall be erected on the street building lines a substantial woven wire fence with steel posts not less than 6 ft. in height continuously, except for an entrance to Pacific street and an entrance to Atlantic avenue, and except that such fence may be omitted in front and to the side of the diner, provided closure fences are constructed between the building line and the diner walls; that the entrances to Atlantic avenue and Pacific street shall not exceed 25 ft. in width each, with curb cuts of similar width opposite; that a similar woven wire fence shall be constructed on the interior lot line adjoining the railroad yards; that proper bumpers shall be erected along the fence at all points to prevent cars damaging the fence; that proper aisles shall be maintained at all times for easy entrance and egress; that during the term of the permit there shall be no other use than herein permitted other than the diner; that no building shall be erected on the premises except the existing diner and a building not over 150 sq. ft. in area and not over one (1) story in height, which may be of frame construction, to be used solely as office and shelter for the attendant; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no signs advertising the parking and storage use shall be erected, except that there may be erected at the entrances on Pacific street and Atlantic avenue a sign advertising the permitted use, provided such sign is attached to the fence and does not extend beyond the building line and does not exceed 15 sq. ft. in area; that any lights for general illumination shall be on pipe standards, so located and equipped with metallic reflectors as to reflect toward the center of the premises; that the limited gasoline selling use hereinbefore permitted shall be entirely discontinued, and that the gasoline storage tanks be either removed or sealed to the satisfaction of the fire commissioner; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

574-39-BZ.

APPLICANT—Ridgewood Savings Bank, owner (E. K. Demmel, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7b and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the conversion of occupancy of the first (1st) story of an existing building to factory use.

PREMISES AFFECTED—59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue

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(Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Walter J. Hess and E. K. Demmel.
For Opposition: Ferdinand Stehle, Barbara M. Stehle, Mrs. Charles Nietman, Clara Dahl, S. Wright and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(574-39-BZ)

WHEREAS, Ridgewood Savings Bank, owner (E. K. Demmel, lessee), filed May 5, 1939, an application under sections 7b and 21 of the building zone resolution, to permit, partly in a residence use and partly in a business use district, the conversion of occupancy of the first (1st) story of an existing building to factory use; premises 59-11 67th avenue (Cornelia street), north side, 94 ft. east of Forest avenue (Block No. 3502, Lot No. 45), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 67th avenue (Cornelia street) is in a residence and business use district; Putnam avenue, Forest avenue and 60th street are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 9511-1939, dated May 3, 1939, and as amended February 7, 1940, reads:

"5. The use of the above located premises partially in a business district and extending into a residence district for manufacturing is contrary to Article 2, Section 3 of the zone law."

and

WHEREAS, the existing building is of non-fireproof construction, 20 ft. frontage, 75.3 ft. in depth and two (2) stories in height; the west portion of the existing building extends for a distance of 6 ft. into the business use district while the remainder is in a residence use district; it is proposed to occupy the first story of the existing building as a factory (medication of bandages) and the second story for residence use; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board prior to hearing; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision b, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7b thereof, to permit the existing street story of the existing building to be occupied as proposed for the manufacture of bandages, on condition that the building shall not be increased in height or area; that no manufacturing shall be carried on other than in the first story; that no motors or other machinery shall be installed other than those now existing; that the windows on lot line adjoining the lot to the east (namely, Lot No. 44) shall be blocked with approved masonry; that no signs shall be erected on the building other than a sign painted on the entrance door; that the space used for manufacturing purposes shall comply with all laws, rules and regulations applicable thereto, and that this use shall be permitted for a term not exceeding two (2) years from the date of this resolution, and that no factory work shall be permitted on the premises beyond 6:00 P.M. and prior to 7:00 A.M.

1310-39-BZ.

APPLICANT—Richard E. Carey, for Eva B. Smith, owner (Joseph Brown, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store).

PREMISES AFFECTED—363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Richard E. Carey, Alonzo Brown and others.

For Opposition: Louis Rayvid and Abraham Godoff.
For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1310-39-BZ)

WHEREAS, Richard E. Carey (Joseph Brown, lessee), for Eva B. Smith, owner, filed October 25, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of the basement story of an existing multiple dwelling to business use (store); premises 363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block No. 2054, Lot No. 12), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Edgecombe avenue, St. Nicholas place and West 150th street are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings on Application No. 2966-1939, dated October 13, 1939, reads:

"A proposed business use in a residence district is in violation of Sec. 3, B.Z. Resolution. Note—Conversion of an apartment to a store."

and

WHEREAS, the existing building is of non-fireproof construction, 37 ft. 6 in. frontage by 88 ft. in depth, five stories and basement in height; it is proposed to alter and to convert the occupancy of the south portion of the basement story of the existing multiple dwelling to business use (store); and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to hearing; and

WHEREAS, the Board deemed that applicant failed to substantiate his basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Application No. 2966-1939, be and it hereby is affirmed, and that the application be and it hereby is denied.

1492-39-BZ.

APPLICANT—Newburgh Savings Bank, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

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PREMISES AFFECTED—632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner, and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405A (1399), Lot No. 125), Borough of Brooklyn.

APPEARANCES—

For Applicant: James I. Reilly and Charles Lerner.
For Opposition: Paul P. Meltzer, A. G. Grayzel, Shirley Hausihor, Henry T. Malloy, Samuel Berzak and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(1492-39-BZ)

WHEREAS, Newburgh Savings Bank, owner, filed December 9, 1939, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 632-636 Ralph avenue, 1924-1946 Union street and 1181-1201 East New York avenue (Block No. 1405A (1399), Lot No. 125), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East New York avenue and Ralph avenue are in business use districts; Union street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Applic. No. 8108-39, dated November 10, 1939, and as amended March 6, 1940, reads:

"1. Parking and storage of more than 5 cars partly in a residential district and partly in a business district is contrary to Art. II, Sec. 3 and Art. II, Sec. 4, Para. 15, Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 182 ft. on East New York avenue, 42 ft. on Ralph avenue and 200 ft. on Union street; an irregular shaped area of the plot at the northwest is located in a residence use district and the remainder is located in a business use district; it is proposed to occupy the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution, and that there was no justification for the exercise of its discretion to grant a zoning variation under section 7, subdivision h, for use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1532-39-BZ-WF.

APPLICANT—Stanley H. Hemley, for Kew Gardens Corporation, owner (August Meyers, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than

two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Stanley H. Hemley and August Meyers.

For Opposition: Caesar Nobiletti, Arthur N. Goding, Elsie H. Tietz, John F. McMahon and Josephine Zickler.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4

THE RESOLUTION—

(1532-39-BZ-WF)

WHEREAS, Stanley H. Hemley (August Meyers, lessee), for Kew Gardens Corporation, owner, filed December 22, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 111-56 77th avenue and 116-02 Queens boulevard, southeast corner (Block No. 3346, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district; Kew Forest lane is in a residence use district; 77th and 78th avenues are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 27, 1939, and as amended March 5, 1940, reads:

"1. Proposed use of premises for storage and parking of more than 5 motor vehicles is contrary to Sec. 3 and Sec. 4-15 of the Building Zone Resolution.

2. Proposed use of premises as a parking lot within the World's Fair area is contrary to the World's Fair resolution."

and

WHEREAS, the premises, part of a larger parcel of ground, consist of a plot having a frontage of 170 ft. on Queens boulevard and 100 ft. on 77th avenue; it is proposed to occupy the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

68-40-BZ.

APPLICANT—Sidney L. Strauss, for North River Savings Bank, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—75-79 East 116th street, north

MINUTES

side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: George A. Lamb, Milton A. Woocher and Paul Nulle.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(68-40-BZ)

WHEREAS, Sidney L. Strauss, for North River Savings Bank, owner, filed January 19, 1940, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 75-79 East 116th street, north side, 110 ft. east of Madison avenue (Block No. 1622, Lot No. 25), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 116th street, Madison avenue and Park avenue are in business use districts; East 117th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 11, 1940, reads:

"In reply to your letter of January 4, 1940, requesting the re-issuance of the above numbered zone violation with the intention of taking an appeal to the Board of Appeals, we wish to advise you that your request cannot be granted but we herewith repeat the violation as filed June 15, 1939:

In that of occupying the plot on ground floor as a parking space for more than five motor vehicles in a business district where same is prohibited."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. 11 in.; it is proposed to occupy the site for a temporary period of not more than two (2) years for the parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed, and that the application be and it hereby is denied.

Adjourned, 1:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, APRIL 2, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

67-33-BZ.

APPLICANT—Stein and Wiener, for Harry Weissberg, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Hyman Wiener.

ACTION OF BOARD—Application reopened and set for hearing May 14, 1940, at 10 A.M., subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

328-39-BZ.

APPLICANT—Robert A. Pabian, for Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners (Joseph Sliva, lessee).

SUBJECT—Application for consideration—reopening and restoration to Calendar (previously dismissed for lack of prosecution) re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert A. Pabian.

ACTION OF BOARD—Application reopened and set for hearing April 30, 1940, at 10 A. M., subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

705-38-BZ.

APPLICANT—George Rubinfeld, for Flushing Community Parking, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—136-23, 136-27 and 136-31 38th avenue, north side, 208.88 ft. east of Main street and 136-30, 136-34, 136-36 and 136-38 37th avenue, south side, 276.65 ft. east of Main street (Block No. 4978, Lot Nos. 15, 17, 69, 70 and 72), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George Rubinfeld.

ACTION OF BOARD—Request for reopening as to signs withdrawn; reopened and resolution amended.

THE VOTE TO WITHDRAW REQUEST TO REOPEN AS TO SIGNS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
McCarthy 4

MINUTES

Negative 0
THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(705-38-BZ)

WHEREAS, George Rubinfeld, for Flushing Community Parking, Inc., owner, filed August 9, 1938, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 136-23, 136-27 and 136-31 38th avenue, north side, 208.88 ft. east of Main street and 136-30, 136-34, 136-36 and 136-38 37th avenue, south side, 276.65 ft. east of Main street (Block No. 4978, Lot Nos. 15, 17, 69, 70 and 72), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board May 9, 1939, on certain conditions, and applicant requested an amendment of the resolution as to signs, and also, an extension of time to obtain permits and complete the work; and

WHEREAS, the applicant withdrew the request for amendment of the resolution as to signs.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on May 9, 1939, only so far as it refers to the time within which to obtain permits and complete the work, so that as amended this portion shall read:

"That all permits shall be obtained and all work completed within six months from the date of this amended resolution."

389-37-BZ.

APPLICANT—Goldenthal Brothers, for William Allan, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—31-08 to 31-12 45th street, 44-09 Newtown road and 44-16 31st avenue, south side, 5.4 ft. west of 45th street (Block No. 710, Lot Nos. 5, 20, 21 and 22), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Martin M. Goldenthal.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(389-37-BZ)

WHEREAS, Goldenthal Brothers, for William Allan, owner, filed August 3, 1937, an application under the building zone resolution, to permit, partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles; premises 31-08 to 31-12 45th street, 44-09 Newtown road and 44-16 31st avenue, south side, 5.4 ft. west of 45th street (Block No. 710, Lot Nos. 5, 20, 21 and 22), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the Board April 5, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on April 5,

1938, only so far as it has reference to term of permit, so that as amended that part of the resolution shall read:

"for a term of two (2) years from the date of this amended resolution."

66-39-BZ.

APPLICANT—Slee and Bryson, for Frank Saccardi and Laurretta Saccardi, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the conversion of occupancy of part of an existing building to a gasoline service station.

PREMISES AFFECTED—7423 (7421 displayed) 15th avenue and 1501 Bay Ridge parkway (75th street), northeast corner (Block No. 6213, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. Elmer Blomberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(66-39-BZ)

WHEREAS, Slee and Bryson, for Frank Saccardi and Laurretta Saccardi, owners, filed January 17, 1939, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of an existing building to a gasoline service station; affecting premises 7423 (7421 displayed) 15th avenue and 1501 Bay Ridge parkway (75th street), northeast corner (Block No. 6213, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the board May 9, 1939, on certain conditions, resolution amended July 18, 1939, and applicant requested an extension of time.

Resolved, that the resolution adopted by the Board on May 9, 1939, as amended by resolution adopted July 18, 1939, be and it hereby is *further amended*, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution will read:

"That all permits shall be obtained and all work completed within six (6) months from the date of this amended resolution."

1204-39-BZ.

APPLICANT—Edward J. Hurley, for Chiara Catella, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4221 Webster avenue, west side, 294.03 ft. north of East 233rd street (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward R. K. Fiencke and Edward J. Hurley.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Savage and Assistant Chief McCarthy.... 3
Negative: Commissioner Blum 1

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THE RESOLUTION—

(1204-39-BZ)

WHEREAS, Edward J. Hurley, for Chiara Catella, owner, filed September 29, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx; and

WHEREAS, this application was granted by the Board February 6, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 6, 1940, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21 thereof, to permit the premises under appeal to be occupied as a gasoline service station, *on condition* that the proposed buildings and the premises shall be arranged substantially as indicated on revised plans marked ‘Received March 18, 1940’ and that such plot to be used as proposed as a gasoline service station shall not exceed a depth of 75 ft. along the southerly lot line and a distance of 89 ft. along the northerly lot line; that the accessory building shall be toward the rear and shall be constructed of incombustible materials, except that the roof beams and boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling is fire retarded throughout in accordance with the rules of the Board of Standards and Appeals, and that the ceiling is surfaced with approved weather surfacing material; that the space behind the accessory building shall not exceed 10 ft. in width and shall have a retaining wall, and gutter for water drainage, for supporting the dirt bank at the rear; that the accessory building shall be arranged for office, car washing and greasing and the greasing equipment shall be of the hydraulic type only; that on the interior lot line there shall be constructed brick walls not less than 7 ft. in height, continuous from the accessory building to the street building line, except that such walls may be reduced to 4 ft. in height for a distance back of 10 ft.; that the gasoline pumps shall not be nearer than 15 ft. to the street building line of Webster avenue; that the entire premises where not covered by accessory buildings, pumps and planted areas shall be cement-paved; that the entrances shall be restricted to two to Webster avenue not over 20 ft. in width each, and no part of any entrance shall be nearer than 5 ft. to the side lot as extended; that a planted area not less than 5 ft. in width and 20 ft. in length shall be maintained along the street building line, as indicated, with concrete curb protection; that gasoline tanks shall be restricted to four, each containing 550 gallons, complying with all laws applicable thereto; that signs shall be restricted to permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that during the term of this permit, the premises shall be used for no other use than permitted herein; that the rear and westerly portion of the lot shall be used for conforming purposes only and not in connection with the gasoline station use; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that complete plans shall be submitted within two months of the date of this resolution to the Chairman of the Board for approval, before filing same with the Building Department; that all permits required shall be obtained and all work completed within one year from the date of the approval of such plans by the Chairman in behalf of the Board.”

APPEALS FROM ADMINISTRATIVE DECISIONS. 151-40-A.

APPLICANT—Ansonia Fire Prevention Company, for W. T. Grant Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to April 9, 1940, at 2 P.M., applicant to submit plan.

225-40-A.

APPLICANT—Ansonia Fire Prevention Company, for F. H. Kresge Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to April 9, 1940, at 2 P.M., applicant to submit plan.

286-40-A.

APPLICANT—The Wall Street Journal Building Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Thos. B. Fenlon.

ACTION OF BOARD—Laid over to April 9, 1940, at 2 P.M., on request of appellant.

291-40-A.

APPLICANT—Paul Friedman, for George Angelestro, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to April 9, 1940, at 2 P.M., for further consideration by the Board.

302-40-A.

APPLICANT—Ferdinand Savignano, for Theodore De Cesare, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1348-1350 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman,

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For Administration: Dewey Rothkrug, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for applicant to file a Building Zone application; No date set.

313-40-A.

APPLICANT—Arthur C. Mandel, for Brooklyn Edison Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur C. Mandel.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to April 16, 1940, at 2 P.M., pending inspection by the Board.

109-40-A.

APPLICANT—Rudolph Vagt, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Rudolph Vagt and John E. Dempsey.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Application withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

63-40-A.

APPLICANT—Patent Scaffolding Company, Inc., owner (Anchor Paper Stock Company, Inc., lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—6 Gansevoort street, south side, 99 ft. west of West Fourth street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan.

APPEARANCES—

For Applicant: M. M. Cassidy.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(63-40-A)

WHEREAS, Patent Scaffolding Company, Inc., owner (Anchor Paper Stock Company, Inc., lessee), filed January 15, 1940, an appeal from an order and a decision of the fire commissioner; premises 6 Gansevoort street, south side, 99 ft. west of West Fourth street (Block No. 627, Lot Nos. 40, 54 and 55), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 19430-C, dated October 26, 1939, reads:

"Surrender to bearer, fire department permit No. 197,685, dated to expire on November 30, 1939, which is hereby revoked:

REASON: Extending the risk to premises No. 8 Gansevoort Street, by reason of providing an opening

in 12 inch brick wall thereby connecting buildings No. 6 and 8.

2. Provide an approved fire extinguishing system for instance, an automatic sprinkler system. Sec. C-19-149-0-C-4, Art. 26, Administrative Code.

NOTE: Reinstatement of permit-or—the renewal thereof on compliance with conditions stipulated above will rest upon the Department of Housing and Buildings certifying to structural stability of buildings. Further, electrical wiring must be free of any violation as determined by the Department of Water Supply, Gas and Electricity."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated December 13, 1939; and

WHEREAS, the building is four stories and basement in height, 25 ft. by 95.2 ft. in area; of Class 3 construction; located in an unrestricted and business use district; erected prior to 1891 and occupied throughout for the storage of paper; total 5 persons; and

WHEREAS, the appellant contends that compliance with the requirement for the installation of an automatic sprinkler system would result in the cancellation of the existing lease and the vacating of the premises; that the premises have only a limited use and if vacated a substantial hardship would result to the owner; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, No. 19430-C, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building a non-automatic, dry sprinkler system complying with all the requirements of the Building Code therefor, except that the street water connection may be omitted; that all pipe fittings and hangers shall be of malleable iron; that a thermostatic fire alarm system shall be installed throughout, connected to an approved Central Office; that in lieu of such fire alarm system, there may be installed a system in which adequate air is maintained throughout the sprinkler piping and which, upon a drop in air pressure, will permit an alarm to be transmitted to an approved Central Office; that a siamese inlet shall be installed on the Gansevoort street side; that the cap of this inlet shall be painted aluminum as well as the sign indicating the sprinkler protection; that trap doors at the well opening on each floor in the rear of the building shall be held in place by means of fusible links so as to close in the event of a fire; and that in all other respects all laws, rules and regulations shall be complied with as to construction and occupancy.

178-40-A.

APPLICANT—Ansonia Fire Prevention Engineering Company, for H. L. Green Company, Inc., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—2914-2916 Third avenue, east side, 81 ft. 3 in. south of East 152nd street, and 607 Bergen avenue (Block No. 2362, Lot No. 13), Borough of the Bronx.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(178-40-A)

WHEREAS, Ansonia Fire Prevention Engineering Company, for H. L. Green Company, Inc., owner, filed February 15,

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1940, an appeal from an order and a decision of the fire commissioner; premises 2914-2916 Third avenue, east side, 81 ft. 3 in. south of East 152nd street, and 607 Bergen avenue (Block No. 2362, Lot No. 13), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, No. 2645-LF, dated October 17, 1939, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply, arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated February 2, 1940; and

WHEREAS, the building is one story (15 ft. 6 in.) in height, 45 ft. by 188 ft. 26 in. in area; of Class 3 construction; located in an unrestricted use district, erected in 1936 and occupied: cellar, stock room, kitchen, boiler room and rest room, 6 persons; first floor, sales floor, 55 persons; and

WHEREAS, the applicant contends that it is proposed to install throughout the cellar a non-automatic sprinkler system with an approved type siamese connection on the Bergen avenue side, and to connect the sprinklers which cover the hazardous portions, such as the kitchen, paper room and unpacking space, to the domestic supply as shown on accompanying plans; that the building faces on two streets and there are two stairways on the Bergen avenue side, one of which leads directly to the street; that ingress to the cellar may also be had from the Third avenue side by means of an engineer's ladder through trap door in sidewalk.

Resolved, that the order of the fire commissioner, No. 2645-LF, be and it hereby is *modified*, and that the appeal be and hereby is *granted*, as to Item No. 1, *on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1½ inch drain and with heads pendant; that sprinkler heads installed in the unpacking space, waste paper room and kitchen shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected, and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlets on Third avenue and Bergen avenue; that on each of these streets they may be a single hose inlet of approved type on the exterior of the building at least 12 in. above the sidewalk and that the caps of these hose inlets and signs stating the area covered shall be painted aluminum.

235-40-A.

APPLICANT—John J. Gilmartin, for Liberty Paper Stock Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—17 Leonard street, north side, 213 ft., 9½ in. east of Hudson street (Block No. 179, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(235-40-A)

WHEREAS, John J. Gilmartin, for Liberty Paper Stock

Company, owner, filed March 1, 1940, an appeal from an order of the fire commissioner; premises 17 Leonard street, north side, 213 ft. 9½ in. east of Hudson street (Block No. 179, Lot No. 50), Borough of Manhattan; and

WHEREAS, order No. 19650-LC, issued by the fire commissioner November 6, 1939, reads:

"A recent inspection of your premises indicates that the following must be done otherwise permit No. 228338, which is dated to expire June 14, 1940, will be revoked:

1. Provide an approved fire extinguishing system, for instance, an approved automatic sprinkler system. Sec. C-19-0-C-4, Art. 26, Administrative Code."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner, dated February 2, 1940; and

WHEREAS, the building is 3 stories (37 ft. 6 in.) in height, 25 ft. 1¼ in. by 91 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1890, and occupied: cellar, storage of paper stock, no persons; first floor, same, 4 persons; second floor, storage and office, 3 persons; third floor, storage of paper, 2 persons, for which Certificate of Occupancy No. 23210 was issued in 1937; and

WHEREAS, the applicant contends that there is only approximately one ton of loose paper on the premises; the building was renovated in 1937 for this use; that the stairways were enclosed in fire-retarding material before the permit was issued and upon completion, said certificate of occupancy was issued; that there are windows on two sides of the building so that in case of fire, streams may be readily applied through the windows; that the building is unheated.

Resolved, that the order of the fire commissioner, No. 19650-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that there shall be an automatic fire alarm connection to an approved central office, or in lieu of such fire alarm system there may be installed a system in which adequate air is maintained throughout the sprinkler piping and which, upon a drop in air pressure, will transmit an alarm to an approved central office; that the fittings and hangers on the sprinkler system throughout shall be of malleable iron; that any trap doors in the floor shall be held open by means of fusible links so as to close in the event of fire.

239-40-A.

APPLICANT—Ansonia Fire Prevention Company, for Aaron Shisko, owner.

SUBJECT—Appeal from a decision re an order of the fire Commissioner.

PREMISES AFFECTED—108 Park Row, west side, 74 ft. 10½ in. north of Duane street (Block No. 159, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THERESOLUTION—

(239-40-A)

WHEREAS, Ansonia Fire Prevention Company, for Aaron Shisko, owner, filed March 1, 1940, an appeal from an order and a decision of the fire commissioner; premises 108 Park Row, west side 74 ft. 10½ in. north of Duane street (Block No. 159, Lot No. 57), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 1848-LF, dated August 9, 1938, reads:

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"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated February 2, 1940; and

WHEREAS, the building is six stories (80 ft.) in height; 24 ft. 8 in. by 97 ft. in area; of Class 3 construction; located in a business use district; erected about 1895 and occupied: cellar, boiler room and storage of picture postcards; first floor, store for post cards, 4 persons; second floor, storage and wholesale of novelties, 2 persons; third floor, storage of novelties, 0 persons; fourth floor, printing, 9 persons; fifth floor, paper ruling, 1 person; sixth floor, office and composing room, 7 persons; and

WHEREAS, the appellant contends that it is proposed to install throughout the cellar a system of automatic sprinklers connected to the existing 2 in. domestic supply as shown on accompanying plan; that it would necessitate approximately 32 sprinklers to adequately protect this cellar and in view of this small number of sprinklers it would be a great hardship if the owners were compelled to install a 4 inch direct connection to the street main; that the area of the cellar is but 1960 sq. ft.; that the building faces on two street fronts with a stair from the cellar leading directly to Park Row; that there is also an exit leading to an open area in front of the building on the Cardinal place front.

Resolved, that the order of the fire commissioner, No. 1848-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to objection No. 1, *on condition* that a modified wet sprinkler system shall be installed throughout the cellar, substantially as indicated on plans filed with this appeal and constructed and arranged as approved by the fire commissioner; and that the existing means of access to the cellar shall be maintained.

281-40-A.

APPLICANT—Ansonia Fire Prevention Company, for Edward B. Finch, et al, owners.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—112 Worth street, south side, 59 ft. 2 in. west of Elm street (Block No. 157, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(281-40-A)

WHEREAS, Ansonia Fire Prevention Company, for Edward B. Finch, et al., owners, filed March 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 112 Worth street, south side, 59 ft. 2 in. west of Elm street (Block No. 157, Lot No. 18), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 6232-LF, dated November 30, 1939, reads:

"1. Provide an automatic thermostatic fire alarm system with direct connection to the central office of one of the operating companies in connection with the non-automatic dry sprinkler system now installed on the above premises. Article 16, Ch. 26, Adm. Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated March 5, 1940; and

WHEREAS, the building is five stories (62 ft.) in height, 22 ft. by 77 ft. 7 in. in area; of Class 3 construction; equipped

with a sprinkler system; located in a business use district; erected in 1877 and occupied: sub-cellar, vacant; cellar, toilets and storage in connection with restaurant on the first floor; first floor, restaurant, 6 persons; second floor, photographer, 1 person; third, fourth and fifth floors, vacant; and

WHEREAS, the applicant contends that the area of this building is only 1560 sq. ft.; that both cellar and sub-cellar are equipped with a non-automatic sprinkler system with siamese connection on the Worth street front; that the occupancy of this building can hardly be classified as hazardous; that it would be a great hardship if the owners were compelled to install an automatic thermostatic alarm system in the cellar and sub-cellar of these premises.

Resolved, that the order of the fire commissioner No. 6232-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that in all other respects the sprinkler system throughout the cellar and sub-cellar shall be maintained to the satisfaction of the fire commissioner.

284-40-A.

APPLICANT—William L. Rouse, for Sutphin Boulevard Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Korn and William Rouse.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(284-40-A)

WHEREAS, William L. Rouse, for Sutphin Boulevard Realty Corporation, owner, filed March 15, 1940, an appeal from a decision of the borough superintendent; premises 90-02 to 90-10 Sutphin boulevard, west side, 283 ft. north of Jamaica avenue (Block No. 9676, Lot No. 22), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 68-1940, dated March 13, 1940, reads:

"Two exits direct to the street and remote from each other are required in the bowling alley. (Sec. 6.1.2.2.1 and Sec. 6.1.2.4, Sub-Section 6)."

and

WHEREAS, the building will be one story (14 ft.) in height, 100 ft. by 92 ft. in area; of Class 3 construction; located in a business use C area district; occupied: cellar, storage; first floor, stores and bowling alley, 75 persons; and

WHEREAS, the applicant contends that it is proposed to provide a second means of egress from the bowling alleys leading either to Lot A, B, C or D, as shown on plans filed, depending on which lot permission can be obtained for the use thereof.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 68-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in the event the rear portion of the proposed building is used for the bowling alley, as indicated on plans marked 'received March 15, 1940,' and the entrance thereto is to Sutphin boulevard as thereon shown, a second means of exit may be a door meeting the requirements of the building code and installed in the rear wall opening to the rear yard of premises located at 89-33 146th street, provided a letter is obtained and filed with the borough superintendent from the owner of such premises permitting such exit use; that in all other

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respects the building shall comply with all other laws, rules and regulations applicable thereto.

292-40-A.

APPLICANT—American Ice Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—304 West 67th street, south side, 100 ft. west of West End avenue (Block No. 1178, Lot No. 37), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Miller and Everett E. Fowler.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(292-40-A)

WHEREAS, the American Ice Company, owner, filed March 19, 1940, an appeal from a decision of the acting borough superintendent; premises 306 West 67th street, south side, 100 ft. west of West End avenue (Block No. 1178, Lot No. 37), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on F.P. Applic. No. 70-40, dated February 23, 1940, reads:

"1. Plans fail to show tank buried so that the top thereof is at least 2 ft. 0 in. below the grade level, as demanded by C19-50.0 subd. e of the Administrative Code."

and

WHEREAS, the building is four stories (70 ft.) in height, 169.5 ft. by 100.4 ft. in area; of Class 1 construction; located in an unrestricted use district; erected in 1920; occupied: cellar, ice storage room, 1 person; first floor, same, 3 persons; second floor, freezing tank room, 1 person; third floor, same; fourth floor, pump room, 1 person. It is proposed to provide a vault for an oil tank in the cellar story; and

WHEREAS, the applicant contends that it intends to engage in the sale of range oil and desires to construct and maintain the tank in question with a capacity of 20,000 gals., as shown on plans filed herewith; that it is proposed to place the tank in the cellar of the plant at the southeasterly corner thereof; that the cellar level upon which the tank will rest is approximately 17 ft. below the street level at this point; that the tank will be entirely enclosed by fireproof construction and the enclosure filled with sand; that the balance of the cellar is used solely for the storage of ice and that there is no inflammable material kept therein, so this new construction would create no fire hazard.

Resolved, that the decision of the acting borough superintendent on F.P. Applic. No. 70-40, objection No. 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the installation shall comply with the Oil Burner Rules of the Board and as to Rule 6 (Location of tanks inside of building); the tanks shall be used for no other storage than as herein imposed, with No. 1 or No. 2 fuel oil for sales purposes, as proposed; that such dispensing equipment shall be installed on the first floor of the building, as shown on plans filed with this appeal, to the satisfaction of the fire commissioner; that this tank shall be filled only from tanks wagons holding permits by fire commissioner; that the fuel oil shall be dispensed only in approved safety cans or tank wagons holding permits from the fire commissioner permitting them to engage in transportation and sale of fuel oil; and that such additional portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

301-40-A.

APPLICANT—Emery Roth, for Hotel Taft Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—761-778 Seventh avenue, east side, from West 50th street to West 51st street, 159 West 50th street and 154 West 51st street (Block No. 1003, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Emory Roth.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(301-40-A)

WHEREAS, Emery Roth, for Hotel Taft Corporation, owner, filed on March 25, 1940, an appeal from an order of the fire commissioner; premises 761-778 Seventh avenue, east side, 154 West 51st street and 159 West 50th street (Block No. 1003, Lot No. 1), Borough of Manhattan; and

WHEREAS, order No. 21308-LC, issued by the fire commissioner, March 7, 1940, reads:

"With regard to your request for permission to apply paint, lacquer, etc. (for which you now hold permit) by the spray method, this department regrets to inform you that it is unable to grant your request for the reason that, Rule 1.3.1 of the rules governing the use of equipment for spraying of paints, varnish, lacquer etc., adopted by the Board of Standards and Appeals prohibits the spraying of paints etc. in a building occupied as a dwelling.

YOU ARE THEREFORE, HEREBY ADVISED TO

(1) Either abandon the proposed use of spraying equipment to apply paint, lacquer or any other combustible surface coating to another object on these premises xxx"

and

WHEREAS, the building is 20 stories (200 ft.) in height, 200 ft. 10 in. by 100 ft. in area; of Class 1 construction; equipped with a standpipe system; located in a business use B area district; erected in 1925 and occupied: subcellar: mechanical equipment; cellar, mechanical equipment and restaurant; first floor, lobby, stores and dining room; second to 20th floors, inclusive, hotel; penthouse, storage; and

WHEREAS, the applicant contends that the spray equipment now exists under a permit for paint storage issued by the fire department; that this equipment is located on the penthouse floor, which floor is not used for residential purposes but is reserved for storage rooms and repairs; that the spray room has three windows and there is no combustible material stored therein, except furniture brought in for repair; that the spray room has an exhaust fan of 8,000 c.f.m. capacity, exhausting through the roof; all lights in the spray room comply with the requirements; that there are three sprinkler heads in the booth and eight heads in the room, supplied from roof gravity tank located 32 ft. above the penthouse floor; that this tank has a capacity of 14,000 gallons and the sprinkler connection is taken off above the 3,500 gallon reserve line; that there is also one (1) portable CO² extinguisher located in the spray room and one (1) outside the spray room.

Resolved, that the order of the fire commissioner, No. 21308-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be no residential occupancy in the penthouse in which the paint spraying is carried on, and *granted* only so long as conditions

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remain as set forth herein and to the satisfaction of the fire commissioner.

305-40-A.

APPLICANT—Arthur F. Winter, for Chatham Cumulative Corporation, owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—63-09 to 63-11 Roosevelt avenue, north side, 65 ft. 6 in. east of 63rd street, and 39-09 to 39-11 63rd street (Block No. 1293, part of Lot No. 49), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(305-40-A)

WHEREAS, Arthur F. Winter for Chatham Cumulative Corporation, owner, filed March 25, 1940, an appeal from an order of the fire commissioner; premises 63-11 Roosevelt avenue, north side, 65 ft. 6 in. east of 63rd street, and 39-09 to 39-11 63rd street (Block No. 1293, part of Lot No. 49), Woodside, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 3283-LF, dated October 4, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner dated February 27, 1940; and

WHEREAS, the building is one story (19 ft.) in height, with a frontage of 47 ft. on Roosevelt avenue and 41 ft. 4 in. on 63rd street, and a depth of 100 ft.; of Class 3 construction; erected in 1930; located in a business use district and occupied: cellar, stockrooms, baling rooms, toilet, restrooms, 2 persons; first floor, stores, 300 persons; mezzanine, office, 2 persons; and

WHEREAS, the applicant contends that there is a fireproof enclosed stairway leading from the basement to first floor, equipped with a fireproof self-closing door at basement level; that there is a sidewalk freight elevator; that ventilation is provided by means of openings in the show window bulkhead; that the storage of paper is in a fireproof enclosed room; that adequate fire protection has already been provided in this basement, and it is therefore requested that the order be rescinded.

Resolved, that the order of the fire commissioner, No. 3283-LF, objection No. 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic sprinkler system complying with the building code therefor, except the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1½-inch drain and with heads pendant; except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall

be under fire department control from the sidewalk pumper; that there shall be a single hose inlet of approved type on the exterior of the building, both on the Roosevelt avenue and 63rd street sides, said inlets to be not less than 10 inches above the sidewalk, and that the caps of these hose inlets and signs stating area covered shall be painted aluminum.

307-40-A.

APPLICANT—Elmer H. Paull, for Vincenzo Cataldo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—220 Hamilton avenue, west side, 88 ft. 1 in. north of Luqueer street (Block No. 514, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Elmer H. Paull and S. Joseph Carrao.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(307-40-A)

WHEREAS, Elmer H. Paull, for Vincenzo Cataldo, owner, filed March 25, 1940, an appeal from a decision of the borough superintendent of buildings; premises 220 Hamilton avenue, west side, 88 ft. 1 in. north of Luqueer street (Block No. 514, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 329-40, dated March 25, 1940, reads:

"1. Proposed additional use—fermentation of wine—on 1st fl. of building now used for wine storage, labeling, packing, bottling and blending, is contrary to Art. II, Sec. 4 (a) par. 6 of Zone Resolution."

and

WHEREAS, the building is three stories (43 ft. 9 in.) in height, 24 ft. 1 in. by 50 ft. 3 in., irregular in area; of Class 3 construction; located in a business use district; erected in 1895 and occupied cellar, wine storage; first floor, wine storage, labelling, packing and blending; second floor, sale and distribution of wines; third floor, dwelling, one family. It is proposed to include in the occupancy the fermentation of wines on the first story; and

WHEREAS, the applicant contends that the method of fermentation will consist of pressing grapes and placing them into vats or tanks to within one foot of the top of the tank, leaving this upper portion for fermentation; that in two weeks the wine is drawn off and placed in storage tanks for aging; that there is no complicated machinery used as in the brewing of beer or distilling of liquors; that there is no boiling of malt as in brewing nor converting of liquid into vapor by heat and condensation as in distillation; that the fermentation process takes place naturally; that the making of wine to the extent of 200 gallons is permitted to a family by Federal regulations; that the prohibition in the Zoning Resolution is directed against the business which would brew or distill liquors; that it was the intent of the legislative body to follow the distinctions in law between distilling of liquors and a winery; and

WHEREAS, in the opinion of the Board the prohibition in Article 2, Section 4, Subdivision 6, does not prohibit the fermentation of wines as herein proposed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 329-40, objection No. 1, be and it hereby is *reversed*, and that the appeal be and it hereby is *granted*.

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311-40-A.

APPLICANT—Louis Allen Abramson, for Society of the Hillside Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by 263rd street, Hewlett avenue, L. I. Motor parkway and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive, Lot Nos. 40, 1, 2 and 8), Creedmore, Borough of Queens (Hillside Hospital).

APPEARANCES—

For Applicant Fred N. Severud.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(311-40-A)

WHEREAS, Louis Allen Abramson, for Society of the Hillside Hospital owner, filed March 25, 1940, an appeal from a decision of the borough superintendent of buildings; affecting premises, blocks bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive, Lot Nos. 40, 1, 2 and 8), Creedmore, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 10075-39, dated March 21, 1940, reads:

"4. Hollow masonry as shown on plan contrary to Sect. 8.4.3.2.6."

and

WHEREAS, the premises consist of a plot approximately 2,550 ft. by 900 ft., irregular in area; located in a business and residence use district; occupied by the buildings of the Hillside Hospital. It is proposed to erect an additional building one story (11 ft. 10 in.) in height, 54 ft. 8 in. by 123 ft. in area, of Class 3 construction, to be equipped with a standpipe system and to be occupied throughout as the admissions building of the hospital; and

WHEREAS, the applicant contends that that section 8.4.3.2.1 does not apply to the bonding of brick because brick, under the Code, is not a solid structural unit; that according to 1.132 a solid structural unit must have a gross volume at least 50 per cent greater than brick; that the bonding requirements of the face brick to the backing are covered by section 8.4.2.2.; that although this section is written specifically to apply to solid masonry walls, it gives the requirements for holding the face brick; that the requirements for bonding of the tile units are given in section 8.4.3.2.1; that for such units it is required that they be bonded every third course to the unit with which they are combined to make the required thickness of wall; that the construction as shown gives bonding at every second course of tile; that the wall construction proposed has been standard for many years and has abundantly proven its structural value.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 10075-39, objection No. 4, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the construction of masonry as shown, *on condition* that the building shall not exceed one story in height, the total height not exceeding 12 ft. to top of roof beams; that the tile shall comply with the requirements of A.S.T.M., d. C34--34T, and that piers of solid masonry shall be constructed at the window jambs for support of window lintels, where required for support of masonry above windows and wherever windows exceed four feet in width; that all vertical joints between masonry and tile shall be well parged.

890-39-A.

APPLICANT—Adolph Mertin, for Volunteers of America, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—511 Joline avenue (Childrens' Home), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: Adolph Mertin and Colonel Alexander C. Wright.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(890-39-A)

WHEREAS, Adolph Mertin, for Volunteers of America, Inc., owner, filed July 3, 1939, an appeal from a decision of the borough superintendent of buildings; affecting premises 511 Joline avenue (Childrens' Home), Tottenville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated June 26, 1939, reads:

"Arrange for test of thermostatic fire alarm system in presence of representative of this department.

Discontinue use of top floor for sleeping purposes."

and

WHEREAS, the building is 2½ stories (30 ft.) in height, 31 ft. by 41 ft. in area; of frame construction; located in a residence use district; erected in 1922 and occupied: first floor, dining room and rest room, 15 persons; second floor, sleeping and bathrooms, 5 persons; third floor, sleeping and bathrooms, 10 persons; and

WHEREAS, at the hearing of the Board on April 2, 1940, the applicant amended his previous statement to the effect that the building was equipped with a sprinkler system, by saying that the building is equipped with a thermostatic fire alarm system and that additional exits were provided at the request of the fire commissioner; that a modification is requested so as to permit the occupancy of the building by children during the summer.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 18, 1939, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent, dated June 26, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the occupancy of the third floor for sleeping purposes, *on condition* that the building shall be occupied as proposed, solely as a charitable institution during the summer months, except for the caretaker; that the number of persons occupying the third story shall at no time exceed ten (10); that the thermostatic fire alarm system shall be maintained in good working order to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable for a building outside the fire limits."

1177-39-A.

APPLICANT—Joshua Brown, for 60-19 Roosevelt Avenue Corporation, owner (Paprin's Restaurant, lessee).

SUBJECT—Application for consideration—reopening and

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amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1177-39-A)

WHEREAS, Mark J. Joseph, for 60-19 Roosevelt Corp., owner (Paprin's Restaurant, lessee), filed September 26, 1939, an appeal from a decision of the borough superintendent of buildings; affecting premises 60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 4168-39, dated November 2, 1939, reads:

"3. The character of the building changes to a public building and must comply as to height and area with sec. 4.2.1 N.B. Code.

The accomodation exceeds 300 persons; the building shall also comply with Sec. 12.1.1. and 12.2 N.B. Code."

and

WHEREAS, the building is two stories (29 ft.) in height, 224 ft. by 67 ft. 8 $\frac{7}{8}$ in. irregular in area; of Class 3 construction; located in a business use B area district; erected in 1926; occupied: cellar, storage; first floor, restaurant and stores, 150 persons; second floor, office, restaurant and dance hall, 150 persons; it is proposed to occupy the building: cellar, storage; first floor, restaurant and cabaret and stores, 150 persons; second floor, office, restaurant and cabaret, 150 persons; and

WHEREAS, applicant contends that the building was erected in 1926 for use as stores, office, restaurant and dance hall, and that this use has remained the same since; that while the building is 25 ft. in height, this additional 5 ft. is required to insure better ventilation for the second floor; that the building is only 15,171.52 sq. ft. in area, a portion of which is occupied by offices, lounge, coat rooms and rest rooms; that in lieu of compliance with the requirements, it is proposed to form a new rear exit on the first floor, and to provide three additional stairways, one of which would be fireproof and lead directly to the street from the second floor public occupancy, and two outside iron stairways leading from the dance floor on the second story directly to the street; and

WHEREAS, this appeal was granted by the Board January 9, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 9, 1940, so that as amended the resolution shall read:

"*Resolved*, that the decision of the borough superintendent, on Misc. Applic. No. 4168-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the additional exterior fire escapes from the second story, as shown, shall be provided; that the proposed interior stair along the 60th street wall from second story to street may be omitted, provided the exterior iron stairways and all existing interior stairways are maintained; that throughout the cellar there shall be installed a sprinkler system complying with the requirements of the building code therefor,

except that the water supply may be taken from the house water supply line, provided the house supply line is not less than 2 inches in diameter; that the fire department connection on the exterior of the building may be a single connection, located on Roosevelt avenue; that in all other respects the construction and occupancy of the building shall comply with all laws, rules and regulations applicable thereto.

191-40-A.

APPLICANT—David Granditer, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathan Frankel and David Granditer.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(191-40-A)

WHEREAS, David Granditer, owner, filed February 20, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan; and

WHEREAS, this appeal was previously withdrawn and restored to the Calendar by the Board; and

WHEREAS, the decision of the acting borough superintendent, dated February 15, 1940, on an application for Certificate of Occupancy reads:

"In relation to application for Certificate of Occupancy, you are advised that same is disapproved because of the following objections which must be removed before same is issued:

5. Ceiling of entrance hall is not fire retarded;
6. Soffit and strings of stairway leading to 2nd story have not been fire retarded.
8. Cellar and basement used for handling and storage of lumber (Note lumber is in excess of 1000 bd feet stored)."

and

WHEREAS, the building is three stories in height, 16 $\frac{1}{2}$ ft. 2 in. by 100 ft. 11 in. in area at first floor, 15 $\frac{1}{2}$ ft. by 50 ft. in area at typical floor; of Class 3 construction; equipped with a sprinkler system; erected about 1900; located in a residence use B area district and occupied since 1925 as follows: basement, lumber storage, no persons; first floor, one family, 4 persons; second floor, 3 furnished rooms, 3 persons; third floor, 5 furnished rooms, 5 persons; and

WHEREAS, violation No. 2596-37 was issued September 25, 1939, for occupying the premises contrary to certificate of occupancy as a furnished room house, 11 rooms on first, second and third stories and storage of lumber in basement; and

WHEREAS, the building is characterized by the Department of Housing and Buildings as a hereafter converted Class B multiple dwelling; and

WHEREAS, the applicant contends that although Certificate of Occupancy No. 15971 (issued December 30, 1929) was for a one-family dwelling and storage, the building is a heretofore converted Class B multiple dwelling and has

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been occupied as at present since 1925; that no law requires the performance of the items of the borough superintendent's decision, which are the subject of this appeal; that the provisions of the Multiple Dwelling Law regarding fire-retarding of the entrance hall ceiling, stringers and stairways do not apply to a three-story multiple dwelling; that the objection of the Department of Housing and Buildings, that lumber in excess of 1000 board feet is stored finds no support in any law, rule or regulation; and

WHEREAS, the premises were inspected by a committee of the Board and conditions found generally to be as stated by the applicant; and

WHEREAS, in the opinion of the Board, correct interpretation of the Multiple Dwelling Law permits the proposed occupancy if certain requirements thereof are complied with.

Resolved, that the decision of the acting borough superintendent, as to Alt. Applic. No. 3670-37, be and it hereby is modified, and that the appeal be and it hereby is granted as to objection No. 8 on condition that the basement shall be protected throughout in accordance with the requirements of the fire commissioner, under section 58 of the Multiple Dwelling Law, as set forth in his letter of March 5, 1940, to the applicant, requiring the following to be done:

1. Properly fire-retard the basement ceiling throughout.
2. Repair the fire retarding around stairway in basement.
3. Maintain lumber at least 18 inches below ceiling or sprinkler lines.
4. Maintain all necessary water buckets.
5. Maintain all stock at least 36 inches from all window openings and 36 inch passageway from front to rear wall.
6. Provide at least one line of sprinkler heads from front to rear wall connected to existing sprinkler system.

and as to objection Nos. 5 and 6, granted on condition that the building and occupancy shall comply in all other respects with the requirements of the Multiple Dwelling Law applicable to a building hereafter converted, not more than three stories and basement in height, and that a certificate of occupancy shall be obtained for the occupancy of the building as proposed, as a Class B multiple dwelling with the storage of lumber as permitted by the fire commissioner in the basement; that any construction not in compliance with the plans as filed with the Department of Housing and Buildings under Alt. Applic. No. 903-29 shall be removed.

VARIATION OF THE LABOR LAW.

287--40-S.

APPLICANT—The Wall Street Journal Building Company, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas B. Fenlon.

ACTION OF BOARD—Laid over to April 9, 1940, at 2 P.M., on request of applicant.

APPLIANCE SUBMITTED FOR APPROVAL.

204-40-SA.

APPLICANT—Wayland Machinery Company, owner.

SUBJECT—Wayland Horizontal Rotary Oil Burner, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(204-40-SA)

WHEREAS, Donald Link, agent for Wayland Machinery Company, owner, filed February 26, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Wayland Horizontal Rotary Oil Burner; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

March 29, 1940.

Cal. No. 204-40-SA

Subject Approval of the Wayland Horizontal Rotary Oil Burner.

Donald Link, agent for the Wayland Machinery Company, owner, filed February 26, 1940, an application with the Board of Standards and Appeals for approval of the Wayland Horizontal Rotary Oil Burner under the provisions of Sec. C19-57.0 of the Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

This burner was inspected and tested at 9 St. Nicholas avenue, Brooklyn, in the presence of a representative of the owner, of the fire department, and of the Board of Standards and Appeals.

This oil burner is of the horizontal rotary cup type. The burner consists of a Westinghouse electric motor, ranging from 1/3 to 3 H.P. The motor is equipped with a hollow steel shaft, for the purpose of delivering the oil to the cup. On the shaft of the motor there is also mounted a straight bladed aluminum fan, of large enough capacity so as to properly atomize and break up the oil that is sent through the hollow steel shaft. Attached to the shaft there is a fuel pump of the gear type, which operates at low speeds, due to the reduction gear attached to motor shaft.

The atomizing cup is made of bronze and by reason of centrifugal force, the oil is spread to a thin film as it is expelled from the cup's edge.

The gravity type burner has no pump incorporated directly at the burner, but comes equipped with an approved pump set. These burners are equipped with Wells Electric Preheaters Type A.

Ignition—dual, gas and electric may be used.

Controls—All manufactured by the Minneapolis Honeywell Company, and consist of Pressuretrol; Pyrostat and Protectorelay No. 157-R of the delayed type used for regulating the oil. A reverse Aquastat is used in the low water preheater.

Oil Valve—An oil regulating valve manufactured by the General Contact Valve Company.

The Burner comes in ten different sizes, six of which sizes are denoted in the following table:

Size	Motor	Fan Diameter	Capacity, Gallons
A	1/3 H.P.	11½ in.	7
B	1/3 H.P.	13 in.	12
C	1/3 H.P.	14 in.	15
D	1/2 H.P.	15 in.	18
E	1/2 H.P.	15½ in.	22
F	1 H.P.	16 in.	30

The burner was operated with a cold combustion chamber and oil supply shut off, the controls functioned and shut the burner down in 45 and 47 seconds respectively. The burner was then put into normal operation. Ignition was instant-

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aneous without any puff-backs and during the period of test, the flame was clean and free of smoke and soot.

Examination of the combustion chamber showed no undue carbon deposits. During this period of time, all the controls on the burner functioned as designed. These two types of burners are designed for operation with preheated No. 6 oil and with No. 4 and No. 5 oil without preheating.

As a result of this inspection and test, it is recommended that the Wayland Horizontal Rotary Oil Burner be approved for use in New York City, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, on condition that the burner have a label permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 204-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Wayland Rotary Oil Burner, *on condition* that the appliance be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

714-38-SM.

APPLICANT—Reynolds Metal Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Reynolds Ecod Welded Wire Fabric, previously approved.

APPEARANCES—

For Applicant: John Cooley.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

THE RESOLUTION—

(714-38-SM)

WHEREAS, George Gallico, for the Reynolds Metal Company, owner, filed August 11, 1938, an application with the Board of Standards and Appeals for approval of the material known as Reynolds Ecod Welded Wire Fabric; and

WHEREAS, this material was submitted to the committee of the Board on tests; and

WHEREAS, the report of the committee on tests recommended approval of this material; and

WHEREAS, this material was approved by vote of the Board September 17, 1938; and

WHEREAS, the applicant requested an amendment of the report of the committee on tests, and amendment of the resolution; and

WHEREAS, the report of the committee on tests was amended and reads as follows:

REPORT OF COMMITTEE ON TESTS

September 17, 1938.

Re Cal. No. 714-38-SM.

Subject: Reynolds Ecod Welded Wire Fabric.

The Reynolds Metal Co., of New York filed with the Board a request for the approval of their material

known as Reynolds Ecod Welded Wire Fabric for use as a plaster base under such sections of the Administrative Code as hereinafter specified.

Reynolds Ecod Welded Wire Fabric, more familiarly known as "Ecod Lath," consists of flame proofed paper (saline solution) on which are mounted steel V-shaped ribs welded to cross wires which are woven through the paper backing. The ribs form horizontal reinforcements and keys for plaster, the vertical wires also form keys for plaster. The paper consists of one ply Northern Kraft paper, .011 in. in thickness, and weighing 40 lbs. per 1,000 sq. ft. The wire is No. 16 A.W.G. and is woven through the paper at intervals of approximately 2 in. and spaced parallel vertically at 1½ in. centers. The ribs consist of No. 26 U. S. Gauge ⅜ in. by 5/32 in. deep. These ribs are placed on one side between the paper backing and the wire and spaced at intervals of approximately 4 in. horizontally. All metal used in this material is copper bearing or galvanized. Ecod Lath is fastened to the studs with large head 4D nails through each rib at each stud. This material is finished in sheets 31 in. by 48¾ in., weighing approximately 2 pounds per sheet.

This material, in one form or another, has been in use in New York City with approvals as follows:

NOVEMBER 19, 1921

Approved by Rudolph P. Miller, superintendent of buildings, Manhattan, for ordinary partitions in non-fireproof buildings.

JUNE 10, 1922

Approved by Charles Brady, superintendent of buildings, Manhattan, for use as a base for stucco when applied over sheathing.

AUGUST 16, 1926

Approved by Charles Brady, superintendent of buildings, Manhattan, for use as a substitute for wood lath.

On December 13, 1934, this material was tested for bond by the Board of Buildings at Columbia University when its use as a substitute for wood lath was requested.

On April 21, 1936, a report of an Underwriters' Laboratory test No. 2510 was submitted to the Board of Buildings in which the Underwriters recommended the material as meeting their requirements as a one-hour fire partition. The partition tested was constructed of 2 in. by 4 in. studs 16 inches on centers, covered on both sides with non-treated metal Ecod fabric, overlapping ¼ in. at sides and ¾ in. at ends, plastered with ⅜ in. scratch, ¼ in. brown and ⅛ in. finish coat.

On August 6, 1936, a test of a panel was made at Columbia University for the purpose of meeting the requirements of a one-hour fire test. This test consisted of a 24 in. by 40 in. panel, constructed of 2 in. by 4 in. studs covered with Ecod copper bearing fabric, plastered with ¼ in. to ⅜ in. scratch coat, a ⅜ in. brown coat and a ⅛ in. finish coat on each side. The results of this test were reported by Columbia in their report No. 2426 as meeting the requirements of a one-hour fire test partition.

The Board of Standards and Appeals conducted a test at the applicant's plant at South Kearney, N. J., on September 16, 1938, for the purpose of investigating a typical method of applying Ecod lath and plaster to a partition, for bond and flame qualities of the paper, and the firmness of the keying of the plaster to this plaster base.

On the basis of the tests of the Board and of Columbia University and the Underwriters' Laboratories as heretofore mentioned, approval is recommended of a partition constructed of 2 in. by 4 in. wood studs not more than 16 in. on centers covered with galvanized or copper bearing Ecod metal fabric as herein described, with flame proofed moisture resistant integral paper

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backing. The sheets of Ecod lath shall be laid up with broken joints, nailed to each stud at each rib with large head 4D nails with side lap $\frac{1}{4}$ in., end lap $\frac{3}{4}$ in., and plastered on both sides with gypsum or cement plaster to at least $\frac{3}{4}$ in. grounds, *with base boards, chair rails and mouldings of incombustible material*, as meeting the requirements of C.26-636.0 subdiv. C. (B.C. 10.4.3.1), and further recommend the same flame proofed moisture resistant integral paper backed "Ecod lath" as a substitute for combustible lath, C.26-458.0 (B.C. 8.4.10.2), wherever the use of combustible lath is permitted.

The Committee recommends that the manufacturer perforate the horizontal reinforcing strips to facilitate nailing at each stud and to protect the plaster key afforded by this horizontal strip at the nailing point, unless a 26 gauge block copper bearing steel V strip is used, in which case precaution shall be taken in driving the nails so as to preclude mashing of rib. Care shall be exercised in binding the corner to secure lath.

The committee cannot make any recommendation for approval under C.26-460 A.C. (8.4.10.4 B.C.), as it is their opinion that Ecod lath does not meet the requirements of the code wherein it specifies "No. 16 Steel Wire gage, 2 in. mesh, galvanized welded wire fabric with integral backing and horizontal stiffening members spaced not more than 5 in. on centers, plastered on one side," where as the Ecod lath if it can be considered as mesh, consists of No. 16 A.W.G. wire welded to ribs 26 U. S. Gauge with a spacing of $1\frac{1}{2}$ in. by 4 in.

This material is shipped in packages or cartons containing 43 sheets or 50 yards. This material, when delivered for use in New York City, shall have each package or carton stamped, labelled or marked "Approved by the Board of Standards and Appeals, Cal. No. 714-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on September 17, 1938, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the material known as Reynolds Ecod Welded Wire Fabric, as a substitute for combustible lath, C.26-458.0 (B.C. 8.4.10.2) and as meeting the requirements of C.26-636, subdiv. e (B.C. 10.4.3.1), when manufactured, installed and labelled in accordance with the above amended report."

938-39-SM.

APPLICANT—MacAndrews and Forbes Company, owner.
SUBJECT—Application for reopening—amendment—Lockaire Insulation Fibre Board.

APPEARANCES—

For Applicant: R. M. Bickerstaff, Jr.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(938-39-SM)

WHEREAS, the MacAndrews and Forbes Company, owner, filed July 12, 1939, an application with the Board of Standards and Appeals for approval of the material known as Lockaire Insulation Fibre Board; and

WHEREAS, this material was approved by the Board September 26, 1939, on certain conditions; and

WHEREAS, the applicant has requested approval of an addi-

tional material known as Asphaltic Lockaire Insulation Fibre Board; and

WHEREAS, this application was reopened, and the material was referred to the committee on tests of the Board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 938-39-SM.

Subject: Lockaire Insulation Fibre Board.

The MacAndrews and Forbes Company filed on March 28, 1940, a request for reopening of the approval granted them under Cal. No. 938-39-SM for the addition of a new material known as *Asphaltic Lockaire Insulation Fibre Board*.

This material is made of the same ingredients as the material previously approved except that for the addition of 20 per cent asphalt introduced by the Premix Patented Process. The asphalt is mixed with the fibres before formation into board thus providing a coating around each fibre. This homogeneous treatment of asphalt to the individual fibres differs from other board which have their outside coated with an asphalt treatment. It is claimed that because of the manner of asphalt treatment the resulting board is tougher, more rigid and resists dry rot, oxidation, fungus, termites and vermin.

This board is manufactured in use and sizes as follows:

Uses		Width	Length	Thickness
Building Board	Square	4 ft.	6 ft.—12 ft.	25/32 in.
Sheathing	Square	4 ft.	6 ft.—12 ft.	25/32 in.
Sheathing	Tongue and groove	2 ft.	8 ft.	25/32 in.
Roof Insulation	Square	2 ft.	4 ft.	25/32 in.

ASPHALIC Lockaire Insulation Fibre Board is identified by its toughness and stiffness and its brownish-black color containing small specks of asphalt. This board is somewhat heavier than ordinary Lockaire Insulation Fibre Board because of the asphalt treatment.

Tests were made on this products at the Armour Institute of Technology under the direction of Professor J. C. Peebles under date of December 6, 1939, in accordance with report filed, for conformance with the requirements of Rule No. 1 of the Rules for Insulating Fibre Board of the Board of Standards and Appeals with results as follows:

	Test Results	Rule Requirements
Thermal Conductivity		
B.T.U. per sq. ft. per hour per degree F. per inch thickness	.386	.36
Minimum Transverse Strength—Lbs. lengthwise	46 to 51	22 and 11
Maximum Transverse Strength—Lbs. crosswise	38 to 43	19 and 11
Minimum deflection at ultimate load	.75 at 42 lbs.	.25
Maximum deflection at ultimate load	.81 at 46 lbs.	.85 — 1.25
Tensile strength, pounds per sq. in.	250 to 300	175 and 100
Water absorption—per cent	4.8	5 and 10
Linear expansion—per cent	.4	.5
Nail-holding strength— lbs.	140 to 150	100 and 60

On the basis of this foregoing data complying with the Rules for Insulation Fibre Board, the committee recommends the reopening and amendment of the resolution adopted by the Board on September 26, 1939, to include the approval for the use of *Asphaltic Lockaire Insulation Fibre Board* as a building board and sheathing material (but not as a plaster base) when made in the sizes, materials and specifications provided herein and when installed in accordance with the requirements of the rules and such additional requirements as the manufacturers may recommend, when used for sheath-

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ing, full length and width boards shall be used; over doorways and over and under windows vertical and horizontal 2 in. by 4 in. shall be provided so as to afford nailing bases along the edges of the board so used. This material is marketed by the Plastergon Wall Board Co., of Buffalo, N. Y.

It is further recommended that each package of this material be tagged, labelled or marked, reading as follows:

"Approved for use in New York City by the Board of Standards and Appeals under Cal. 938-39-SM when installed in accordance with the requirements of the Insulation Fibre Board Rules of the Board of Standards and Appeals."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the amendment of the resolution to include this additional material.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on September 26, 1939, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the material known as Lockaire Insulation Fibre Board and Asphaltic Lockaire Insulation Fibre Board, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report."

1550-39-SM.

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Weatherwood Insulating Fibre Board and Samson Insulating Fibre Board, approval of.

APPEARANCES—

For Applicant: J. J. Tynan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners, Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1550-39-SM)

WHEREAS, United States Gypsum Company, owner, filed December 29, 1939, an application with the Board of Standards and Appeals for approval of the material known as Weatherwood and Samson Insulation Fibre Board; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

March 29, 1940.

Re Cal. No. 1550-39-SM.

Subject: Weatherwood and Samson Insulation Fibre Board.

The United States Gypsum Company of Chicago, Illinois, filed December 29, 1939, an application with the Board of Standards and Appeals for approval of the Weatherwood and Samson Insulation Fibre Board under the requirements of the Fibre Insulation Board Rules of the Board of Standards and Appeals.

Weatherwood and Samson Insulation Fibre Board is manufactured at Lisbon Falls, Maine, from spruce fibres, felted and held together by sizing and interweaving of the fibres. It is sized to make the board water resistant, subjected to proper drying temperatures and treated with a chlorinated phenolic product to render it immune from termites, vermin and fungus.

This material is manufactured for uses, sizes and thickness as follows:

Uses and Joints.

Building Board—Square:

Width 4 ft. 0 in.

Length 4 ft. to 12 ft., incl.

Thickness ½ in., 1 in. Homogeneous, 1½ inches, 2 in. laminated only.

Building Board—Tongue and Groove:

Large Tile—Ogee four edges only.

Thickness ... ½ in., ¾ in., 1 in.

Sizes 16 in. x 32 in.; 16 in. x 48 in.; 18 in. x 32 in.; 18 in. x 48 in.; 24 in. x 32 in.; 24 in. x 48 in.

Small Tile—Ogee four edges only.

Thickness ... ½ in., ¾ in., 1 in.

Sizes 6 in. x 6 in.; 6 in. x 12 in.; 8 in. x 8 in.; 8 in. x 16 in.; 12 in. x 12 in.; 12 in. x 24 in.; 16 in. x 16 in.; 24 in. x 24 in.

Individual Plank—Long edges ogee only, or plain and beaded.

Thickness ... ½ in.

Sizes 6 in., 8 in., 10 in., 12 in., 16 in. wide, and 6 ft., 7 ft., 8 ft., 9 ft., 10 ft. 12 ft. long.

Sheathing—Square, and Tongue and Groove (edges only)

Width Square, 4 ft. 0 in.

T & G—2 ft. 0 in.

Length Square—6 ft., 7 ft., 8 ft., 8½ ft., 9 ft., 9½ ft., 10 ft., 12 ft.

T & G—6 ft. 8 in. and 8 ft. 0 in.

Thickness 25/32 in.

Asphalt Coated on edges, ends and both sides.

Plaster Base—plain, or with wire reinforcing stapled to face of lath along one long edge, for reinforcing over long edge joint—long edges V-joint all edges beveled.

Width 18 in.

Length 48 in.

Thickness ½ in., ¾ in., 1 in.

Roof Insulation—Square and shiplapped.

Width 22 in.

Length 47 in.

Thickness ½ in., 1 in., 1½ in., 2 in.

1 in. shiplapped roof insulation will be homogeneous board with ¾ in. shiplap on all edges. 1½ in., and 2 in. insulation and offset insulation in greater than 1 in. thickness will be furnished stapled and spot laminated.

Cold Storage Board—Square Edges.

Sizes 12 in. x 24 in.; 12 in. x 48 in.; 18 in. x 48 in.; 12 in. x 36 in.; 16 in. x 36 in.

Thickness 1 in. Homogeneous, 1½ in. and 2 in. laminated.

Tests on these materials were made at the Laboratories of the R. W. Hunt Company for conformance with the requirements of Rule 1 of Rules on uses of Insulating Fibre Board.

BUILDING BOARD TEST.

	Specification Requirements	Test Results
Thermal Conductivity—B.T.U. per hour, per sq. ft. per degree F. per inch thickness	0.36 max.	0.336
Thermal Conductivity—B.T.U. per hour, per sq. ft. per degree F. irrespective of thickness	0.72 max.	0.697
Transverse Strength—pounds—lengthwise	14 min.	19.18
Transverse Strength—pounds—crosswise	12 min.	15.48
Minimum Deflection at Ultimate Load—in.	.25 min.	0.38
Maximum Deflection at Ultimate Load—in.	.85 min.	0.55
Tensile Strength—pounds per sq. in.	175 min.	254.8
Water Absorption—percent	5 max.	3.94
Linear Expansion—percent	0.50 max.	0.21
Nail holding strength—pounds	60 pounds	71.1

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SHEATHING BOARD TEST.

25/32 in. Thick	Specifications Requirements	Test Results
Thermal Conductivity — B.T.U. per hour, per sq. ft. per degree F. per inch thickness	0.36 max.	0.333
Thermal Conductivity — B.T.U. per hour, per sq. ft. per degree F. irrespective of thickness	0.72 max.	0.445
Transverse Strength—pounds—lengthwise	21.75 min.	39.52
Transverse Strength—pounds—crosswise	18.75 min.	37.64
Minimum Deflection at ultimate load—inches	0.25 min.	0.26
Maximum Deflection at ultimate load—inches	0.85 max.	0.37
Tensile Strength—pounds per sq. in.	175 min.	208.6
Water Asorption—percent	5 max.	2.31
Linear Expansion—percent	0.50 max.	0.08
Nail holding strength—pounds	100 min.	127.5*

*See copy of Report on Racking Tests performed by the City of Detroit, Michigan, dated January 14, 1938, and April 21, 1939.

PLASTER BASE TEST.

1/2 in. Thick	Specification Requirements	Test Results
Thermal Conductivity — B.T.U. per hour, per sq. ft. per degree F. per inch thickness	0.36 max.	0.312
Thermal Conductivity — B.T.U. per hour, per sq. ft. per degree F. irrespective of thickness	0.72 max.	0.640
Transverse Strength—pounds—lengthwise	14 min.	15.22
Transverse Strength—pounds—crosswise	12 min.	18.35
Minimum Deflection at ultimate load—inches	0.25 min.	0.48
Maximum Deflection at ultimate load—inches	0.85 max.	0.67
Tensile Strength—pounds per sq. in.	175 min.	247.7
Water Absorption—percent	5 max.	7.21
Linear Expansion—percent	0.50 max.	0.06
Nail Holding Strength—pounds	70 pounds	69.2
Bond Strength—pounds per sq. ft. of Bonded Surface	700 pounds	1940

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ROOF INSULATION TEST.

1 inch	Specification Requirements	Test Results
Thermal Conductivity — B.T.U. per hr. per sq. ft. per degree F. per inch thickness	0.36 max.	0.307
Thermal Conductivity — B.T.U. per hr. per sq. ft. per degree F. irrespective of thickness	0.72 max.	0.311
Transverse Strength—pounds—lengthwise	14 min.	37.04
Transverse Strength—pounds—crosswise	14 min.	42.03
Minimum Deflection at ultimate load—inches	0.25 min.	0.25
Maximum Deflection at ultimate load—inches	1.25 max.	0.29
Tensile Strength—pounds per sq. in.	100 min.	129.0
Water Absorption—percent	10 max.	5.12
Linear Expansion—percent	0.5 max.	0.17
Nail holding strength—pounds	60 pounds	108.2

On the basis of the foregoing tests meeting the requirements of Rule 1, the committee recommends the approval of Weatherwood and Samson Insulation Fibre Board in sizes and thicknesses as specified herein for use in accordance with the requirements of Rule 2 of the Insulating Fibre Board Rules of the Board of Standards and Appeals when installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend and that the use of each class of board shall be limited to the uses prescribed herein. When used for sheathing, full length and width boards shall be used; over doorways and over and under windows vertical and horizontal 2 in. x 4ins. shall be provided so as to afford nailing bases along all edges of the board so used. This material is shipped in packages and cartons and it is recommended that each container be marked, tagged or labelled as follows, with the use of each type of board indicated and in addition shall bear the following inscription, "Approved for use in New York City by the Board of Standards and Appeals under Cal. 1550-39-SM when installed under requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Weatherwood and Samson Insulation Fibre Board *on condition* that the material be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

190-40-SM.

APPLICANT—The Ritter Dental Manufacturing Company, owner.

SUBJECT—Approval of Ritter Model C Dental Cuspidor.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative 0

THE RESOLUTION—

(190-40-SM)

WHEREAS, The Ritter Dental Manufacturing Company, owner, filed February 19, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Ritter Model C Dental Cuspidor; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

April 1, 1940.

Cal. No. 190-40-SM.

Subject: Approval of Ritter Dental Mfg. Co., Model C Dental Cuspidor.

The Ritter Dental Manufacturing Co., owner, filed an application with the Board of Standards and Appeals for approval of the Ritter Model C Dental Cuspidor under the provision of C26-1277.0 (14.8.2.8) Administrative Building Code.

This dental cuspidor includes two water connections which are classified as submerged inlets, these being the cuspidor

MINUTES

and the aspirator. The water supply tubing to both the cuspidor and the aspirator is equipped with a vacuum breaker located approximately 4 in. above the overflow level of the cuspidor with $\frac{1}{8}$ in. tubing from the air port vent to a point directly over the cuspidor, so that any leakage in the vacuum breaker would be noted at this point.

The mechanical principle of the unit is based on a Bakelite cup disc with guides rising under internal hydrostatic pressure against a rubber seat in the outlet port. The Bakelite cup disc is equipped with two brass prongs to insure proper seating.

The unit was subjected to a vacuum the equivalent of $27\frac{1}{2}$ in. of mercury with the cuspidor flooded to the overflow rim and the aspiration outlet submerged in the simulated contaminated water. Both features of the unit were also subjected to an endurance test of five minutes under a vacuum the equivalent to 25 in. of mercury.

The unit successfully withstood all of the tests above noted, thus indicating that the Ritter Dental Manufacturing Company Model C Dental Cuspidor warrants approval under the requirements of section C26-1277.0h, (14.8.2.8) Administrative Building Code.

On the basis of these tests which the unit withstood satisfactorily, the committee recommends the approval of the Ritter Model C Dental Cuspidor on condition that the unit bear a label permanently affixed reading:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 190-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Ritter Model C Dental Cuspidor, *on condition* that the material be manufactured, installed, operated, and labelled stamped or tagged in accordance with above report.

246-40-SM.

APPLICANT—Limestone Products Corporation, for Warner Company, Bellefonte Division, owner.

SUBJECT—Bell Mine Rotary Kiln Masons Quicklime, approval of.

APPEARANCES—

For Applicant: P. L. Block.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

Adjourned, 5:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on February 6, 1940, as they appeared in Bulletin No. 7, Vol. 25, are hereby corrected to read as follows

THE RESOLUTION—

(42-32-BZ)

WHEREAS, this application affecting premises 2263-2273 Linden boulevard, northwest corner of Elton street (Block No. 4336, Lot No. 21), Borough of Brooklyn, was granted by the Board May 6, 1932, on certain conditions, period extended January 28, 1936 and February 1, 1938, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on May 6, 1932, as amended February 1, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7, subdivision f for a period of two years from May 6, 1940, on condition that any pumps *shall* be set back at least 10 ft. from the building line of Linden boulevard and Elton street; that entrance to gasoline station shall be *restricted to two (2) entrances from Linden boulevard and one (1) entrance from Elton street*, each not more than 12 ft. wide, with curb cuts not more than 14 ft. each, *the Elton street entrance to be not nearer than 10 ft. to the intersection of Linden boulevard and Elton street*; that any building erected on the premises shall be confined to one story in height, used as an office or accessory use to gasoline service station conducted on the premises; that no portable gasoline tanks shall be operated or maintained on or from the premises; further, that this shall not be used as a basis for a permanent permit for a gasoline service station or for a non-conforming use on these premises; that any advertising signs advertising non-conforming use (gasoline station) shall be confined to the electric globes of the pumps or facade of the buildings erected on the premises, and two (2) signs which may be illuminated and erected on post standards within the building line excluding any roof signs and temporary signs, and that all permits shall be obtained within three months and any work involved shall be completed within six months from the date of this action."

*Correction—as shown in italics.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1940 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts,

are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

(Cal. No. 1-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 17, 1940, at 10 A.M., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

NOTE—New matter in *italics*; old matter in brackets [] to be omitted.

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the *Borough* Superintendent. The *Borough* Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the *Borough* Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

- 3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the *Borough* Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the constructor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the *Borough* Superintendents. All certificates of qualification issued shall be uniform for the fire Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.
- 4.2.3 The *Borough* Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.
- 4.2.4 *Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year. Such record shall be on a form of certificate as approved by the Board of Standards and Appeals.*

Rule 5. Qualification Test for Welders.

- 5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the *Borough* Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City [may] *shall* be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and [if the operator is to perform overhead welding] two in the overhead welding position.
- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same *general* type of electrodes or welding rods as are to be used in the work for which the operator is being tested. [the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify]

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the *Borough* Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the *Borough* Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the *Borough* Superintendent.

- 9.1.1. *The Borough Superintendent may, in the case of minor welding operations, including stairs*

PUBLIC HEARING

and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 *The welder and the welds shall be protected by adequate covering against high winds, rain, snow or sleet.*

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature (of the base metal) is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld (over an area of 9 square inches) shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, [and] Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 *Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or seal, affixed by the standard Testing Agency or Inspection Agency, to the effect that these Rules have been complied with.*

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 16

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Affecting Calendar Number 294-40-SR.

Notice of Public Hearing on Proposed Amendments to
Rules for Fusion Welding and Gas Cutting.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to April 16, 1940.

Cal. No. Department. Premises Affected.
369-40-SA.....D. and K. Oil Burner,
Appliance.

370-40-BZ....H.B.B.....1902-1904 East 22nd street, west
side, 215 ft. and 235 ft. north
of Avenue S (Block No. 6827,
Lot No. 33), Borough of
Brooklyn,
Amendment to N.B. 10366-35
and N.B. 10461-35.

371-40-A.....H.B.B.....2323 West street, east side, 200
ft. south of Avenue W (Block
No. 7176, Lot No. 68), Bor-
ough of Brooklyn,
Alt. 792-40.

372-40-BZ....H.B.B.....768-788 Utica avenue, west side,
40 ft. north of Linden boulev-
ard (Block No. 4655, Lot
Nos. 20, 22, 25 and 27), Bor-
ough of Brooklyn,
Alt. 5471-39.

373-40-A.....F.D.....150 Lafayette street, west side, 100
ft. north of Howard street
(seventh floor); (Block No.
233, Lot No. 19), Borough of
Manhattan,
21163-L.C. and Decision.

374-40-A.....H.B.B.....1613-1623 Dean street, north side,
127 ft. 1 3/8 in. west of Schen-
ectady avenue (Block No.
1341, Lot No. 31), Borough
of Brooklyn,
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375-40-BZ....H.B.Q.....144-12 Springfield boulevard,
northwest corner of North
Conduit boulevard and south-
west corner of Springfield
boulevard and 144th avenue
(Block No. 3816, Lot Nos. 76
and 63), Springfield Gardens,
Borough of Queens,
N.B. 1468-40.

376-40-A.....F.D.....113 Ludlow street, west side, 161
ft. 1 in. north of Delancey
street (Block No. A-10, Lot
No. 24), Borough of Manhat-
tan, 1981-L.F. and Decision.

377-40-BZ....H.B.Q.....10-25 49th avenue, north side,
59.94 ft. west of Jackson ave-

nue (Block No. 44, Lot Nos.
9-19, inclusive), Long Island
City, Borough of Queens,
Misc. Applic. 6927-39.

378-40-A.....H.B.Bx...1200 University avenue, east side,
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street (Block No. 2528, Lot
No. 11), Borough of The
Bronx,
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190-38.

379-40-BZ....H.B.Q.....58-20 Broadway, southwest corner
of 59th street (Block No.
1197, Lot No. 49), Woodside,
Borough of Queens,
N.B. 9824-39.

380-40-A.....F.D.....390 Pearl street, east side, 20 ft.
south of Oak street (Block
No. 112, Lot No. 18), Bor-
ough of Manhattan,
20906-L.C. and Decision.

381-40-A.....F.D.....142-158 East 59th street, south
side, 100 ft. west of Third
avenue (Block No. 1313, Lot
No. 43), Borough of Manhat-
tan, 1985-L.F. and Decision.

382-40-S.....F.D.....1-11 Bartlett street, north side, 88
ft. 6 in. west of Harrison ave-
nue, and 639-641 Flushing ave-
nue (Building No. 6); (Block
No. 2268, Lot No. 1), Bor-
ough of Brooklyn,
4380-L.F., 4381-L.F. and
Decision

383-40-A.....F.D.....62-66 Glenmore avenue, south
side, 50 ft. west of Watkins
street (Block No. 3506, Lot
Nos. 17 and 18), Borough of
Brooklyn,
Decision—re 82207-L.C.

384-40-BZ....H.B.M....443-451 West 34th street, north
side, 187.6 ft. east of Tenth
avenue (Block No. 732, Lot
Nos. 11-15, inclusive), Bor-
ough of Manhattan,
Decision—re Certificate of
Occupancy.

385-40-BZ....H.B.Bx...3560 Netherland avenue and 566
West 236th street, southeast
corner (Block No. 3409-G,
Lot No. 492), Borough of The
Bronx, N.B. 307-40.

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- 386-40-BZ....H.B.Bx...3215 Arlington avenue, west side,
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street (Block No. 3409, Lot
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Bronx, N.B. 308-40.
- 387-40-BZ....H.B.Bx...3260 Netherland avenue, east side,
150 ft. south of West 235th
street (Block No. 3409-B, Lot
No. 148), Borough of The
Bronx, N.B. 309-40.
- 388-40-BZ....H.B.Bx...3225 Johnson avenue, west side,
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street (Block No. 3409-B, Lot
Nos. 177 and 179), Borough
of The Bronx, N.B. 310-40.
- 389-40-BZ....H.B.Bx...3259 Johnson avenue, west side,
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of The Bronx, N.B. 311-40.
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Henry street, Lorraine street
and Columbia street (Block
Nos. 538, 540, 549, 550, 551,
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ated gasoline pumps),
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known as "Cisco Solvent" in
non-refillable cans in New
York City, Decision.
- 393-40-BZ....H.B.Q.....45-29 to 45-35 50th (Fitting)
street, east side, 200 ft. south
of Queens boulevard (Block
No. 2283, Lot No. 12), Wood-
side, Borough of Queens,
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- 394-40-A.....H.B.Q.....45-29 to 45-35 50th (Fitting)
street, east side, 200 ft. south
of Queens boulevard (Block
No. 2283, Lot No. 12), Wood-
side, Borough of Queens,
Misc. Applic. 1095-40.
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surfacing material), manufac-
tured by Insul-Mastic Labor-
atories, Inc., and McGrew
Paint and Asphalt Company,
Material.
- 396-40-S.....H.B.M....45-47 West 38th street, north
side, 270 ft. east of Sixth ave-
nue (Block No. 840, Lot No.
16), Borough of Manhattan,
Alt. 481-40.
- 397-40-A.....F.D.....2222 Homecrest avenue, west side,
180 ft. south of Avenue V
(Block No. 7372A, Lot No.
16), Borough of Brooklyn,
83121-L.C.
- 398-40-BZ....H.B.Bx...940 Metcalf avenue, east side, 176
ft. 4 in. south of Eastern boule-
vard (Block No. 3659, part of
Lot No. 20), Borough of The
Bronx, Alt. 121-39.
- 399-40-BZ....H.B.Bx...942 Metcalf avenue, east side, 151
ft. 4 in. south of Eastern boule-
vard (Block No. 3659, part of
Lot No. 23), Borough of The
Bronx, Alt. 779-39.
- 400-40-BZ....H.B.Bx...944 Metcalf avenue, east side,
124.42 ft. south of Eastern
boulevard (Block No. 3659,
part of Lot No. 23), Borough
of The Bronx, Alt. 506-39.
- 401-40-BZ....H.B.Bx...946 Metcalf avenue, east side,
94.42 ft. south of Eastern
boulevard (Block No. 3659,
part of Lot Nos. 23 and 26),
Borough of The Bronx,
Alt. 752-39.
- 402-40-BZ....H.B.Q.....144-39 to 144-47 Farmers boulev-
ard, southeast corner of
South Conduit avenue (Block
No. 4517, Lot No. 1 and part
of Lot No. 3), Springfield,
Borough of Queens,
N.B. 9509-39.
- 403-40-SM.....Masonite (for floors) DeLuxe
Quatrboard, Quatrboard,
Presdwood, Tempered Presd-
wood, Presdwood Temprtle
and Century of Progress

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Flooring, manufactured by
Masonite Corporation,
Material.

404-40-SM.....Masonite (insulation products)
Structural Insulation, Insula-
ting Tile and Plank, Insula-
ting Lath and Roof Insula-
tion, manufactured by Mason-
ite Corporation, Material.

405-40-A.....F.D.....Pier No. 38, west side of West
street, between West Houston
street and Spring street (Block
No. 656, Lot No. 3), Bor-
ough of Manhattan.
15791-L.C. and Decision.

Restored to Calendar.

351-26-BZ....H.B.B....176-188 Parkside avenue and 333-
345 Ocean avenue, southeast
corner (Block No. 5054, Lot
No. 6), Borough of Brook-
lyn, Applic. 1930-36.

780-27-BZ....H.B.B....112-126 East 98th street, west
side, 250 ft. north of Winthrop
street (Block No. 4616, Lot
No. 25), Borough of Brooklyn,
Alt. 769-40.

1101-39-A.....H.B.....597 Greene avenue, southwest cor-
ner of Tompkins avenue (Block
No. 1799, Lot No. 42), Bor-
ough of Brooklyn, Decision.

46-34-SA.....May Oil Burner and Quiet May
Oil Burner, Models N and O,
Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings,
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

ORDERS OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On April 10, 1940, Arnstein & Levy, attorneys, served on Board
petition and order of certiorari on behalf of City Bank Farmers
Loan and Trust Company, owner, in re decision of Board on
March 12, 1940, denying theatre, under section 21, Cal. No. 272-
39-BZ, at premises 645-647 Madison avenue, Borough of Manhattan.

* * * * *

On April 15, 1940, Harvey L. Strelzin, attorney, served on Board
petition and order of certiorari on behalf of William Crystal and
Anna Crystal, owners, in re revocation of permit and certificate of
occupancy granted by the Board on March 19, 1940, Cal. No. 1111-
39-A, premises 545-567 Ridgewood avenue, northeast corner of
Nichols avenue, Borough of Brooklyn.

On April 16, 1940, Skutch, Meyer & Burton, on behalf of Film
Center Building Corporation, objector, served on Board order of
certiorari in re Board's decision of March 19, 1940, granting on
condition permission for film stores and omission of rear yard,
under Cal. No. 1307-39-BZ, at premises 332-346 West 44th street,
Borough of Manhattan.

COURT DECISIONS

Estate of Nicholas Yannaco vs. Board of Standards and Appeals.
On January 17, 1939, Board denied parking and storage in
business district, under section 7h, Cal. No. 538-37-BZ, at
premises 501 West 185th street, Borough of Manhattan.
Mr. Justice Wasservogel sustained Board (N.Y.L.J. April
16, 1940), stating: "The Board . . . after a thorough in-
spection, determined that there was no absolute need for
the parking lot . . . and denied the application. Such
denial was neither arbitrary nor unreasonable."

* * * * *

In re Coopersmith (Murdock et al; Forest Hills Riding Club).
Board revoked certificate of occupancy on ground that same
was issued in error because of alleged use for stable for
more than five horses prior to 1916, Cal. No. 853-38-A,
premises northwest corner of Walnut street and 71st ave-
nue (Block No. 2805, Lot No. 1), Forest Hills, Borough of
Queens.

Mr. Justice Hooley reversed the Board (N.Y.L.J. April 12,
1940), stating:

"The decision in this case depends on the prior use of
the premises. In Caponi vs. Walsh, the court indicated
that the proper procedure where a question of fact as
to prior use is involved, is to take common law proof.
This was done when the court referred the matter to
an official referee to hear and report on the prior use
of the premises. Ample authority for the procedure
followed herein is also found in section 668.e.1.0 of
the Administrative Code of the City of New York.
The cases cited by the corporation counsel have no
application to the situation here at present. The mo-
tion to confirm the report of the official referee is
granted. The determination of the Board of Standards
and Appeals is reversed, annulled and set aside and
the certificate of occupancy reinstated . . ."

Board revoked certificate of occupancy in all these cases.

Board reversed—same disposition by Mr. Justice Wasservogel as in
Cal. No. 853-38-A, above.

In re Coopersmith v. Murdock et al (Rego Riding Academy), (Cal.
No. 852-38-A, Block No. 3895, Lot No. 1), Forest Hills,
Borough of Queens.

In re Coopersmith v. Murdock et al (Hoffman or Wanda Stable).
(Cal. No. 850-38-A, Block No. 3895, Lot No. 1), Forest Hills,
Borough of Queens.

In re Coopersmith v. Murdock et al (Sunset Stable), (Cal. No. 855-
38-A, Block No. 3895, Lot No. 34 and part of Lot No. 35),
Forest Hills, Borough of Queens.

In re Coopersmith v. Murdock et al (Oak Riding Academy), (Cal.
No. 851-38-A, Block No. 2290, Lot No. 34), Forest Hills,
Borough of Queens.

In re Coopersmith v. Murdock et al (Green Barn Riding Academy),
(Cal. No. 856-38-A, Block No. 3895, Lot No. 35), Forest
Hills, Borough of Queens.

In re Clinco (Murdock et al). Board revoked certificate of occu-
pancy on ground certificate of occupancy was illegally
issued and no vested rights can accrue from a permit il-
legally issued, Cal. No. 854-38-A, premises 90-20 70th drive,
Block No. 3896, Lot No. 50, Forest Hills, Borough of
Queens.

Mr. Justice Hooley sustained Board (N.Y.L.J. April 12,
1940), stating:

"This case would follow the fortunes of the five cases
decided herewith (Coopersmith vs. Murdock et al) were
it not for the fact that the official referee has made
a finding that there was an abandonment of the use of
the premises as a cow stable prior to its use as a fur
dressing and dyeing factory. While this question was
not submitted to the official referee, the court is neces-
sarily interested in any testimony taken before him
with regard to prior use of the premises, which is the
controlling factor in any decision to be made by this
court. In view of the testimony before the official
referee in this matter and his conclusion thereon, the
court grants the motion to confirm the report of the
official referee. The determination of the Board of
Standards and Appeals is affirmed, . . ."

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RULES

	Last Publication in Bulletin	
Carbon Dioxide Liquefier Rules.....	Jan. 16, 1940—Vol. 25, No. 3	
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34	
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28	
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31	
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9	
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24	
Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9	
Fire Alarm Rules (Interior).....	Sept. 12, 1939—Vol. 24, No. 37	
Fire Drill Rules	Nov. 21, 1939—Vol. 24, No. 47	
Fire Retarding Rules for Garages, etc.	Apr. 2, 1940—Vol. 25, No. 14	
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15	
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3	
Fusion Welding and Gas Cutting Rules	Mar. 5, 1940—Vol. 25, No. 10	
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14	
Hatchway Protection	June 5, 1928—Vol. 13, No. 23	
Insulating Fibre Board Rules	Mar. 12, 1940—Vol. 25, No. 11	
Oil Burner Rules	Mar. 26, 1940—Vol. 25, No. 13	
Opening Protective Assemblies, Rules for Inspection of	Dec. 5, 1939—Vol. 24, No. 49	
Paint, Varnish and Lacquer Spraying Rules	Mar. 19, 1940—Vol. 25, No. 12	
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47	
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31	
Plumbing Rules (Prevention of Contamination of Water Supply).....	Nov. 7, 1939—Vol. 24, No. 45	
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36	
Refrigerating Systems, Extract A.C.Oct.	10, 1939—Vol. 24, No. 41	
Smoking in Factories, Rules for	Apr. 2, 1940—Vol. 25, No. 14	
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26	
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23	
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23	
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47	
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47	
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15	

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use.....	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Mar. 26, 1940—Vol. 25, No. 13
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

APRIL 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 16, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for re-hearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 150-38-BZ—Application of William Shary, applicant, on behalf of Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee), reopened and restored

to calendar December 19, 1939, under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

CAL. NO. 1025-39-BZ—Application of Frank Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, reopened January 3, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 756-20-BZ—Application of Fordham Plaza Auto Company, Inc., applicant and owner, reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles; premises 4741-4751 Park avenue, northwest corner of East 189th street, through to 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

CAL. NO. 1238-39-BZ—Application, October 6, 1939, under section 21 of the building zone resolution, of Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, applicants, on behalf of New York City Housing Authority (U. S. Housing Project NY 5-3), owner, to permit in a residence use district the maintenance of a garage for three (3) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers; 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

CAL. NO. 1129-27-BZ—Application of Oscar Lowinson, applicant, on behalf of Renweis Holding Corporation, owner, reopened February 21, 1939, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan.

CAL. NO. 292-17-BZ—Application of Van Wart and Acker-

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man, applicant, on behalf of The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, owners, reopened February 27, 1940, under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1408-39-BZ—Application, November 16, 1939, under sections 7c and 21 of the building zone resolution, of Irving Kirshenblit, applicant, on behalf of Lydia D. Backus, owner (Edward Aibel, lessee), to permit in a business use district the extension of an existing gasoline service station and accessory buildings; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert Sheffield Farms Company, Inc., owner,

G. Zetsche, applicants, on behalf of to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

313-40-A—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

32-40-A—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

242-40-A—617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan.

244-40-A—371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2085, Lot No. 1), Borough of Brooklyn.

Variation of the Labor Law

318-40-S—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940, at 10 o'clock, in Room 1013, Municipal building, Manhattan, on the following matters:*

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

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- CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.
- CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattey, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.
- CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.
- CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.
- CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.
- CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.
- CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.
- CAL. NO. 95-40-BZ—Application, January 27, 1940, under section 7h of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.
- CAL. NO. 167-40-BZ—Application, February 13, 1940, under sections 7c and 21 of the building zone resolution, of Albert Mayer and Julian H. Whittlesey, applicants, on behalf of 240 Central Park South, Inc., owner, to permit, partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class "A" multiple dwelling having business use (stores and restaurant) on the first story; premises 232-240 Central Park South, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot No. 58), Borough of Manhattan.
- CAL. NO. 282-35-BZ—Application of Paul Friedman, applicant, on behalf of Bay Parkway Holding Corporation, owner, reopened for

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rehearing on alleged new facts January 30, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court); premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1501-39-BZ—Application, December 13, 1939, under section 21 of the building zone resolution, of James R. Curreri, applicant, on behalf of R. Marinelli, owner, to permit in a residence use district the erection and maintenance of a business building (two (2) stores) and, also, the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

CAL. NO. 177-40-BZ—Application, February 14, 1940, under sections 7b and 7c of the building zone resolution, of H. I. Feldman, applicant, on behalf of Bonvenu Corporation, owner, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises 17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 23, 1940, 2 P. M.

Appeals from Administrative Decisions.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

392-40-A—Re transportation, storage and sale of combustible mixture, known as "Cisco Solvent" in non-refillable cans in New York City.

1339-39-A—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

64-40-A—447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx.

376-40-A—115 Ludlow street, west side, 161 ft. 1 in. north of Delancey street (Block No. A-10, Lot No. 24), Borough of Manhattan.

378-40-A—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

317-40-A—46-02 Fifth street, west side, between 47th avenue and Standard Canal (11th street Basin); (Boiler Plant); (Block No. 21, Lot No. 1, and Block No. 22, Lot No. 1), Long Island City, Borough of Queens.

345-40-A—116-15 Marsden street, north side, 111.54 ft. east of 116th avenue (Block No. 3097, Lot No. 42), Jamaica, Borough of Queens.

409-40-A—201-26 Northern boulevard, southwest corner of 202nd street (Block No. 5523, Lot No. 28), Bayside, Borough of Queens.

412-40-A—44 Murray Hulbert avenue, northwest corner of Hannah street (Block No. 487, Lot No. 206), Tompkinsville, Borough of Richmond.

Variations of the Labor Law.

382-40-S—1-11 Bartlett street, north side, 88 ft. 6 in. west of Harrison avenue, and 639-641 Flushing avenue (Building No. 6); (Block No. 2268, Lot No. 1), Borough of Brooklyn.

296-40-S—270 Jamaica avenue, south side, 56 ft. 9 $\frac{5}{8}$ in. east of Hendrix street (Block No. 3919, Lot No. 13), Borough of Brooklyn.

APRIL 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 328-39-BZ—Application, March 15, 1939; dismissed for lack of prosecution March 19, 1940; reopened and restored to Calendar April 2, 1940, of Robert A. Pabian, applicant, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Cook, owners (Joseph Sliva, lessee), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east

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of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

MAY 3, 1940, 10 A. M.

Rules.

CAL. NO. 93-38-BZ—Application, February 16, 1938; dismissed for lack of prosecution June 27, 1939; reopened and restored to Calendar April 9, 1940, of M. P. Murphy, applicant and owner, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-11 30th (Grand) avenue, north side, 50 ft. west of 29th street (Block No. 575, Lot No. 21), Long Island City, Borough of Queens.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Appeals from Administrative Decisions.

CL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

CAL. NO. 1422-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of J. & P. Development Corporation, owner, to permit in a residence use district the creation and maintenance of a gasoline service station, lubricatorium, auto laundry and office; premises 133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

MAY 7, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution. *Tuesday morning, May 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1242-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Alken Realty Corporation, owner (Shell Oil Company, Inc., lessee), to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond.

CAL. NO. 113-38-BZ—Application, February 23, 1938; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar March 12, 1940, under sections 7h and 21 of the building zone resolution, of Arthur Balley, applicant and lessee, on behalf of Keppler Company, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 163rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

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CAL. NO. 85-39-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, reopened March 19, 1940, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

CAL. NO. 370-40-BZ—Application, April 10, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Frank P. Mandel and James M. Brooks, owners, to permit in a residence use district and, also, "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution; premises 1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue "S" (Block No. 6827, Lot No. 33), Borough of Brooklyn.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulihoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone

resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

420-40-A—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 14, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 67-33-BZ—Application of Stein and Wiener, applicants, on behalf of Harry Weissberg, owner, reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

CAL. NO. 1521-39-BZ—Application, December 19, 1939, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of Josephine Newman, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolu-

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tion, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 and 12), Borough of Manhattan.

CAL. NO. 88-40-BZ—Application, January 25, 1940, under sections 7a and 7g of the building zone resolution, of Joseph J. Campbell, applicant and lessee, on behalf of May E. Campbell, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

CAL. NO. 144-40-BZ—Application, February 3, 1940, under section 21 of the building zone resolution, of Benjamin B. Wesley, applicant, on behalf of Hadley Home Builders, Incorporated, owner, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 10 and part of Lot Nos. 1 and 12), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

MAY 17, 1940, 10 A. M.

Rules.

1-38-SR—Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

MAY 21, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 21, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1266-25-BZ—Application of Jack Z. Cohen, applicant, on behalf of Max M. Leader, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and extension of an accessory building on an existing gasoline service station (gasoline service station previously granted by the Board); premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

CAL. NO. 1161-39-BZ—Application, September 21, 1939, under sections 7a and 21 of the building zone resolution, of Robert T. Schaefer, applicant, on behalf of Michael McCormick, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop—to be erected, in part, on an existing gasoline service station; premises 4302-4308 Faragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1100-39-BZ—Application, September 5, 1939, under section 21 of the building zone resolution, of William Wolff, applicant, on behalf of Bertha Geis, owner (Samuel Levine, lessee), to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

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CAL. NO. 387-39-BZ—Application of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, reopened July 18, 1939, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board); premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 1308-39-BZ—Application, October 24, 1939, under section 7h of the building zone resolution, of Philip Hirshkind, applicant and lessee, on behalf of Manufacturers Trust Company (as trustee), owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, APRIL 9, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, March 12, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, March 12, 1940, were approved as printed in Bulletin No. 12, Vol. 25.

BUILDING ZONE CASES.

150-38-BZ.

APPLICANT—William Shary, for Estate of Patrick H. McNulty, owner (System Service Station, Inc., lessee).

SUBJECT—Application reopened and restored to Calendar December 19, 1939 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary and Mr. Greenman.
For Opposition: S. Noosam.

ACTION OF BOARD—Laid over to April 16, 1940, at 10 A.M. Applicant to submit revised plans for consideration by the Board.

738-38-BZ.

APPLICANT—Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubricatorium, auto laundry and for sale of accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 15, 54 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard Trencher and Oscar Swift.
For Opposition: Abram Schlefstein.

ACTION OF BOARD—Laid over to April 23, 1940, at 10 A.M. Applicant to file revised plans with the Board.

1025-39-BZ.

APPLICANT—Frank J. Buttermark, for Mill Road Holding Corporation, owner.

SUBJECT—Application reopened January 3, 1940 (re decision of the borough superintendent of buildings), under section 7f of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution).

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: None.
For Opposition: None.

ACTION OF BOARD—Laid over to April 16, 1940, at 10 A.M., on written request of applicant.

1526-39-BZ.

APPLICANT—Lama and Proskauer, for Daniel T. Slatery, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Malin.
For Opposition: None.

ACTION OF BOARD—Laid over to April 23, 1940, at 10 A.M., upon request of attorney for owner.

56-40-BZ.

APPLICANT—William C. Stohldreier and Robert G. Zetsche, for Sheffield Farms Company, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the alteration and conversion of occupancy of part of an existing building to storage garage

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for more than five (5) motor vehicles and motor vehicle repair shop.

PREMISES AFFECTED—4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick H. Rohlf, William C. Stohldreier and others.

For Opposition: Joseph C. Buerkla, Phyllis Horne, Pauline Decker, Katherine Hertsch, Fred Horne, Catherine Garvey, Theresa Clausen and others.

ACTION OF BOARD—Laid over to April 16, 1940, at 10 A.M., for inspection by a committee of the Board. No further argument.

897-39-BZ.

APPLICANT—Nordlinger, Riegelman and Cooper, for Adolph Lewisohn and Sons, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan.

APPEARANCES—

For Applicant: Leopold A. Halperin.

For Opposition: Isaac Roth, Samuel L. Reis, William B. Class and David Cohen.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(897-39-BZ)

WHEREAS, Nordlinger, Riegelman and Cooper for Adolph Lewisohn and Sons, Inc., owner, filed July 5, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); premises 613 West 16th street, north side, 141 ft 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 169th street, West 170th street and St. Nicholas avenue are in residence and business use districts; Broadway is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. Applic. No. 114-1939 dated June 6, 1939, reads:

"1. The proposed construction of a business structure in a residence district is contrary to Article 2, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the proposed building will be non-fireproof construction, 27 ft. 2 in. frontage by 41 ft., irregular in depth, and one story in height; it is proposed to occupy the proposed building for two (2) stores; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 114-39, be and it hereby is affirmed, and that the application be and it hereby is denied.

1341-39-BZ.

APPLICANT—Sidney Rossman, for The Joseph Weschler Estate, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Rossman.

For Opposition: David Klein, Ethel Bushkin, Aaron Klein, Hyman Lefkowitz and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1341-39-BZ)

WHEREAS, Sidney Rossman, for The Joseph Wechsler Estate, owner, filed October 31, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDonald avenue and Cortel-you road are in business use districts; East 2nd street is in a residence use district; Ditmas avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 6951-1939, dated October 4, 1939, reads:

"Storage and parking of more than five motor vehicles in a business district is contrary to the provisions of Article II, Section 4 and Item No. 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 231.5 ft. and a depth of 125 ft.; it is proposed to use the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-h thereof, to permit the plot to be occupied for the parking and storage of automobiles, on condition that only those of the pleasure car type shall be so stored or parked; that the plot shall be levelled substantially to the grade of McDonald avenue and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound to prevent dusting, and so graded as to provide surface drainage; that on the interior lot lines where walls of adjoining buildings do not occur there shall be erected a substantial woven wire fence not less than 6 ft. in height with steel posts; that a similar fence shall be erected along the street building line of McDonald avenue with not more than two openings therein, no opening to be nearer than 75 ft. to the elevated

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stairway; that such openings shall not exceed 20 ft. in width each with curb cuts opposite of similar width; that during the term of this permit the premises shall be occupied for no other use than as herein permitted; that there shall be no repairing of automobiles on the premises; that signs shall be restricted to those attached to the fence at each entrance and shall not extend beyond the building line nor exceed 15 sq. ft. in area each, advertising solely the parking and storage use; that no buildings shall be erected on the premises, except there may be erected a building of not over one story in height and 150 sq. ft. in area, which may be of frame, solely as an office and shelter for the attendant; that proper aisles shall be maintained at all times for easy ingress and egress; that proper fire-fighting appliances shall be installed as the commissioner shall direct; that no part of the plot shall be occupied as herein permitted, until the entire plot meets the requirements of this resolution; that any lights for general illumination shall be erected on steel post standards and equipped with metal reflectors, so arranged as to reflect toward the center of the plot and away from adjoining occupancies; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

1479-39-BZ.

APPLICANT—Israel G. Seeger, for Luisa Prisco, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483-A, Lot Nos. 53 and 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Israel G. Seeger.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

McCarthy 4

THE RESOLUTION—

(1479-39-BZ)

WHEREAS, Israel G. Seeger, for Luisa Prisco, owner, filed December 5, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483-A, Lot Nos. 53 and 54), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard and Euclid avenue are in residence use districts; that Holly street and Hegeman avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2387-39, dated December 1, 1939, reads:

"The construction of a gasoline service station within a residence use district is contrary to the Building Zone Resolution, Art. II, Sec. 3."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 36 ft. 7 in. on Holly street, 70 ft. 2 in. on Linden boulevard, and a distance of 59 ft. 4 in. along the north lot line. It is proposed to erect upon the site a one story accessory building 15 ft. by 15 ft., irregular in area, a grease pit, and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 2387-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1516-39-BZ.

APPLICANT—Lama and Proskauer, for New York City Society of the Methodist Episcopal Church, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Grand Concourse and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama, F. B. Newell and others.

For Opposition: William F. Walsh, Henry Holden Huss, John Toner, Louis Bechl, Bessie Byrne, Hanna E. Schwab, Louis W. Geiger and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

McCarthy 4

THE RESOLUTION—

(1516-39-BZ)

WHEREAS, Lama and Proskauer, for New York City Society of the Methodist Episcopal Church, owner, filed December 13, 1939, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises northwest corner of Grand Concourse and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is in business, residence and unrestricted use districts; East 150th street is in business and unrestricted use districts; Cedar lane and East 151st street are in business use districts; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 941-39, dated November 16, 1939, reads:

"1. Proposed use (Gas Station, Lubrication, Auto-Laundry, Sales Office and Boiler-room) located in a Business District, is contrary to Section No. 4, Article No. 2 of the amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Grand Concourse, 60 ft. on East 150th street and 100 ft. on Cedar lane. It is proposed to erect upon the plot a one-story building, 58 ft. 4 in. by 26 ft. in area, to be used as an office, lubricatorium and auto laundry, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 941-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

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1529-39-BZ.

APPLICANT—Samuel Rosenblum, for Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Levine, Bernard Shatzkin, Samuel Robenblum and Thomas A. Swift.

For Opposition: Saul Bergman, Charles F. Goldberg, John H. Reb, Angela Whelan, Mary C. O'Kane, Mrs. Clouse, John S. Bennett, Jr., Theodore Guido, Stephen Whelan and A. McCrodden.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1529-39-BZ)

WHEREAS, Samuel Rosenblum, for Henry J. Davenport, executor, Estate of Flora L. Davenport and Madison Court, Inc., owners, filed December 21, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 308-316 Jay street, northwest corner of Johnson street (Block No. 129, Lot Nos. 27 and 28), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jay street is in a business use district; Pearl street, Lawrence street and Johnson street are in business and unrestricted use districts; Tillary street is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2979-1939, dated December 13, 1939, reads:

"Gasoline service station in a business use district is contrary to B.Z. Resolution, Res. Art. II, 4a (46)." and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Jay street and 30 ft. on Johnson street. It is proposed to demolish the three-story multiple dwelling located on part of the site, and to erect upon the plot an office 18 ft. by 8 ft. in area, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 2979-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1552-39-BZ.

APPLICANT—Antonie Sikora, executrix, Estate of Ludwig Sikora, deceased, as mortgagee in possession.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than

two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—32-15 Crescent street, northeast corner of 33rd avenue (Ridge street); (Block No. 580, Lot Nos. 14 to 17, inclusive), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: William Gilligan.

For Opposition: Jabez E. Dunningham, Mary Forrester, May Humbert, Julia Tolve, Calogero Restivo, Mary Kelly, Mrs. Durando, Mrs. F. England, Henry Weinberger and Mrs. John Sheehy.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1552-39-BZ)

WHEREAS, Antonie Sikora, mortgagee in possession, for Estate of Ludwig Sikora, deceased, owner, filed December 29, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-15 Crescent street, northeast corner of Ridge street (33rd avenue), (Block No. 580, Lot Nos. 14-17, inclusive), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Crescent street and 33rd avenue are in business and residence use districts; Broadway is in a business use district; 28th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 9472-1939, dated November 30, 1939 and as amended March 4, 1940, reads:

"The use of these premises for the storage and parking of more than five motor vehicles in a business district is contrary to Art. 2, section 4 'A' sub-division 15 of the Building Zone Resolution." and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Crescent street and 98.2 ft. on 33rd avenue; it is proposed to occupy the site for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 9472-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

106-40-BZ.

APPLICANT—Joseph B. Lynch, for Marie Kienzle, owner (Colonial Beacon Oil Company, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a building, to be used as a lubritorium, auto laundry and office, on a plot upon which there has existed a gasoline service station.

PREMISES AFFECTED—341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

MINUTES

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: D. A. DiCairano.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(106-40-BZ)

WHEREAS, Joseph B. Lynch (Colonial Beacon Oil Company, lessee), for Marie Kienzle, owner, filed January 29, 1940, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a building to be used as a lubricatorium, auto laundry and office, on a plot upon which there has existed a gasoline service station; premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, April 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution shown that Victory boulevard is in a business use district; Cebra avenue and Oxford place are in residence and business use districts; Chester place is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 213-1939, dated December 19, 1939, reads:

"1. Contrary to the Zoning Resolution, Sect. 4 (a) (46) to erect a new building for gasoline service station use on premises of an existing gasoline service station."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 50 ft. on Victory boulevard and 108 ft. on Cebra avenue. It is proposed to erect upon the plot a one-story building, 46 ft. 6 in. by 24 ft., irregular in area, to be used as auto laundry, lubricatorium and office, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 7, subdivision c, as to the reconstruction of the legally existing gasoline station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, to permit the reconstruction of the existing legal gasoline station substantially as indicated on revised plans marked "received April 5, 1940," *on condition* that the accessory building shall be located toward the westerly portion of the lot, as shown, and removed at least 12 ft. 6 in. from the adjoining lot No. 62 to the north; that the building shall be built of incombustible materials, except that the roof beams, roof boarding, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the requirements of the Board of Standards and Appeals; that the building shall be faced on all sides, except on the rear line to the east, with face brick; that the roof shall be surfaced with natural slate, but otherwise shall be generally of the arrangement and design as shown on plans marked "Received April 5, 1940"; that there shall be no cellar or open excavation; that there shall be erected on the interior lines from the accessory building to Victory boulevard and along the interior lines to the east and north to Cebra avenue a fence not less than 6 ft. in height, which shall be constructed with a masonry wall not less than 2 ft. in height above grade and a steel picket fence for the balance of the height; that the premises, where not covered

by the accessory building shall be cement paved, or paved with colprovia or other suitable impervious surfacing, except for the space to be planted with suitable shrubbery to the north and to the east; that such spaces shall be protected with a concrete curbing not less than 6 inches in height; that any pumps erected shall be of the parkway design with masonry pedestals matching the masonry of the accessory building and shall not be nearer than 14 ft. to Victory boulevard and 12 ft. to Cebra avenue; that entrances to the premises shall be restricted to two entrances from Cebra avenue not over 35 ft. in width each, and one of a similar width to Victory boulevard; that no part of any curb cut shall be nearer than 5 ft. to the side lot lines as extended and not nearer than 5 ft. from the intersection of Victory boulevard and Cebra avenue; that there shall be erected at the corner of Victory boulevard and Cebra avenue a block of concrete or masonry not less than 12 inches in height and extending for not less than 5 ft. from the intersection along either street; that signs shall be restricted to permanent signs attached to the accessory building, prohibiting roof signs and temporary signs, but permitting the erection, within the building line near the intersection, of a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 5 ft.; that no automobile repairing shall be carried on on the premises and no parking of automobiles other than those being serviced; that the greasing equipment shall be of the hydraulic lift type; that the heater room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that there shall be no openings in the lot line wall to the east and any openings in the wall of accessory building to the north shall have steel sash with wire glass and fixed; that complete working drawings shall be submitted for approval by the Chairman in behalf of the Board, prior to same being filed with the borough superintendent; that such plans shall be filed within one (1) month from the date of this resolution; and that all permits shall be obtained and all work completed within one (1) year thereafter.

APPEAL FROM ADMINISTRATIVE DECISION.

57-40-A.

APPLICANT—William C. Stohldrier and Robert C. Zetsche, for Sheffield Farms Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4745-4747 Bronx boulevard, southwest corner of East 242nd street (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick H. Rohlf, William C. Stohldrier and others.

For Opposition: Joseph C. Buerkle, Phyllis Horne, Pauline Decker, Katherine Hertsch, Fred Horne, Catherine Garcey, Theresa Clauser and others.

ACTION OF BOARD—Laid over to April 16, 1940, at 10 A.M., pending inspection by a committee of the Board, for decision without further argument.

Adjourned, 3:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, APRIL 9, 1940.

Present Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

MINUTES

BUILDING ZONE CASES.

1613-17-BZ.

APPLICANT—William Shary, for Continental Avenue Garage, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings), to permit in a retail use district the extension of an existing storage garage for more than five (5) motor vehicles (said garage previously granted by the Board) and gasoline service station.

PREMISES AFFECTED—107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 2049, Lot No. 3), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

372-29-BZ.

APPLICANT—John F. Meehan, for Dollar Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution permitting in a residence use district the erection and maintenance of a business building.

PREMISES AFFECTED—2330 Grand Concourse, east side, 150 ft. south of Field place and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: John F. Meehan.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

177-32-BZ.

APPLICANT—Herbert J. Krapp, for Trebuchs Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening on a new proposal (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied re—gasoline service station).

PREMISES AFFECTED—160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert J. Krapp and Ray Whitaker.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

285-36-BZ.

APPLICANT—Frederick W. Rothamel, for Otto Gebhardt and Pauline Gebhardt, owners.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the storage of more than five (5) motor vehicles (previously granted on condition re—change of occupancy of an existing building to a garage for more than five (5) motor vehicles, motor vehicle repair shop and, also, gasoline service station).

PREMISES AFFECTED—72-27 Cypress Hills street, northeast side, 199 ft. south of Myrtle avenue (Block No. 3600, Lot No. 125), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Frederick W. Rothamel.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

93-38-BZ.

APPLICANT—M. P. Murphy, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—27-11 30th (Grand) avenue, north side, 50 ft. west of 29th street (Block No. 575, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: M. Paul Murphy.

ACTION OF BOARD—Application restored to Calendar and set for hearing April 30, 1940, at 10 A.M.

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

675-22-BZ.

APPLICANT—Otto A. Staudt, for Hermann Stursberg, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the extension of a motion picture theatre and business building (previously granted by the Board) by the erection of a structure to be used for housing a cooling system.

PREMISES AFFECTED—250-272 Willis avenue, east side, between East 138th street and East 139th street and 407-419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Teichman and Otto A. Staudt.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

MINUTES

THE RESOLUTION—

(675-22-BZ)

WHEREAS, this application to permit the extension from a business use district 25 ft. into a residence use district, of a proposed theatre and business building; premises 250 to 272 Willis avenue and 407 to 419 East 138th street (Block No. 2283, Lot No. 1), Borough of The Bronx, was granted by the Board July 5, 1922, under certain conditions; and

WHEREAS, Robert Teichman and Otto A. Staudt, for Hermann Stursberg Realty Company, owner, requested a reopening of the case under section 21 of the building zone resolution, to permit the extension of the motion picture theatre and business building, by the erection of a structure to be used for housing a cooling system; and

WHEREAS, this application was granted by vote of the Board July 5, 1922; resolution amended February 6, 1940, and the owner through his representative requests a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 5, 1922, as amended by resolution adopted February 6, 1940, be and it hereby is *further amended*, only so far as it has reference to the plans as filed, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition*, that any entrance for theatrical use shall be confined to the business portion of the block on 139th street; that no show bills, signs or advertisements of any kind or description shall be displayed on the exterior of the theatre in the residence use district";

"Resolved further, that in the event the owner desires to construct a fireproof enclosure at the rear of the court toward the east, as indicated on plans marked received 'December 31, 1939', for the purpose of housing air-conditioning equipment, such extension may be permitted, provided such construction is fireproof throughout and that all openings into the theatre at such extension shall be bricked up and any dressing rooms under the stage shall be entirely eliminated; that the width of the court to East 139th street shall otherwise comply with legal requirements; that in all other respects all laws, rules and regulations applicable to the construction and occupancy of this building shall be complied with; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

Resolved further, that in the event the owner desires to construct a fireproof enclosure at the rear of the court toward the east with ventilating equipment and ducts thereon, all as indicated on revised plans marked 'received March 28, 1940,' for the purpose of housing air conditioning equipment, that such extension may be permitted."

497-23-BZ.

APPLICANT—Edwin W. Kleinert, for 1590 Bedford Avenue Corporation, owner (Bedford-President Garage, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously denied by the Board and granted by the court) so as to form an alcove gasoline service station.

PREMISES AFFECTED—1572-1590 Bedford avenue and 1049-1057 President street, northwest corner (Block No. 1273, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert and Joseph P. Tolin.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(497-23-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 1572-1590 Bedford avenue and 1049-1057 President street, northwest corner (original address 1578-1586 Bedford avenue); (Block No. 1273, Lot No. 46), Borough of Brooklyn, was denied by the Board October 3, 1924; and

WHEREAS, the action of the Board was reversed by the court and the garage erected and occupied; and

WHEREAS, Edwin W. Kleinert, for 1590 Bedford Avenue Corporation, owner, filed an application under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of part of this garage for more than five (5) motor vehicles so as to form an alcove gasoline service station; and

WHEREAS, this application was granted by the Board April 11, 1939, on certain conditions, and applicant requested additional time to prepare plans and complete the work.

Resolved, that the resolution adopted by the Board on April 11, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that complete working drawings shall be submitted to the Board within two (2) months from the date of this amended resolution, and approved by the Chairman in behalf of the Board, prior to the same being filed with the borough superintendent; that plans shall be filed within four (4) months and the work completed within one (1) year thereafter."

101-32-BZ.

APPLICANT—Thema Rosen, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district for a period not greater than two (2) years, the parking and storage of more than five (5) motor vehicles on a lot or plot unbuilt upon.

PREMISES AFFECTED—2871 Bailey avenue, west side, 107.59 ft. south of West 230th street (Block No. 3264, Lot No. 79 and part of Lot No. 70), Borough of The Bronx.

APPEARANCES—

For Applicant: Philip Rosen.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(101-32-BZ)

WHEREAS, this application affecting premises 2871 Bailey avenue, west side, 107.59 ft. south of West 230th street (Block No. 3264, Lot No. 79 and part of Lot No. 70), Borough of The Bronx, was granted by the Board May 19, 1936, resolution amended October 20, 1936 and May 3, 1938, and owner requests a further extension of the permit; and

WHEREAS, the general surrounding conditions have not changed since the previous action by the Board in granting a temporary permit under section 7, subdivision h.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on May 19, 1936, as amended October 20, 1936, and May 3, 1938, only

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so far as it refers to the period of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h, for a period of 2 years from May 19, 1938, to permit the plot consisting of the northerly portion of Lot No. 70 and Lot No. 79, now vacant and unbuilt upon, to be used for parking and storage of automobiles, *on condition* that the plot shall be graded *so as to be* substantially level; that there shall be constructed on the rear line parallel to the New York Central right-of-way a concrete wall of sufficient height to protect the right-of-way except that such wall may be omitted if the owner decides to construct the rear fence at a point at least 25 ft. easterly from such right-of-way and parallel thereto and provided the intervening space between the fence so constructed and the New York Central Right-of-Way shall have the fill at the proper angle of repose to prevent sliding of earth beyond the right-of-way line; that this plot shall be drained toward Bailey avenue; that there shall be erected on or near the rear line and on the interior lot lines and on the front building line along Bailey avenue a substantial wooden fence not less than 4 ft. in height and kept painted; that no portion of the plot shall be used for parking within 25 ft. of the northerly garages; that the plot shall be covered with gravel or steam cinders; that there shall be not over one opening to the proposed parking space located approximately in the center of the parking area at the Bailey avenue building line with a curb cut opposite not exceeding 25 ft. in width; that no cars shall be permitted to be parked or stored other than those which are in good mechanical condition, capable of being operated; that pleasure vehicles only shall be so stored or parked; that any light for illumination shall be on standards with metal reflectors reflecting downwardly and toward the parking space; that no part of this parking space shall be used for any other use than as herein permitted; that sufficient wide lanes shall be maintained at all times to permit entrance and exit; that signs shall be restricted solely to one sign on the front of the property advertising its use as a parking lot and with the rates to be charged; that no structure shall be erected on the parking area except a small office for the attendant; that the existing grease pits, if located within the parking area, shall be removed; that all permits shall be obtained within three months."

229-33-BZ.

APPLICANT—Autumn Goodis, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station—so as to permit the re-arrangement of buildings and, also, the inclusion of a brake testing station.

PREMISES AFFECTED—130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Goodis.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners	
Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(229-33-BZ)

WHEREAS, this application affecting premises 130-09 Jerome avenue, north side, 50 ft. west of 131st street (Block No. 508, Lot Nos. 25 and 27), Richmond Hill, Borough of Queens, was granted by the Board October 2, 1934, amended November 13, 1934, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on October 2, 1934, as amended November 13, 1934 and June 30, 1936, be and it hereby is *amended*, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, permitting the site as indicated on plans filed with this application, namely 100 ft. on Jerome avenue and 103 ft. in depth, located mainly in business district and partly as to the rear 3 ft. in residence district, to be used as a gasoline service station, including brake adjusting, *on condition* that the property shall be cleared and levelled substantially to the grade of Jerome avenue, except that the present building, approximately 30 ft. by 60 ft. at the northwesterly portion may remain, and that there may be added additional accessory sections as indicated on revised plans marked 'Received June 22, 1934'; that the existing building and the additional sections shall not exceed one story in height and shall be constructed of fireproof material faced with cement stucco, except that the roof framing and boarding and windows and doors may be of wood, provided the weather roof surfacing is of non-inflammable material and the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that the existing building shall be used for brake service only and the additional sections for office, greasing pits and auto laundry; that along the northerly and easterly lot lines where not covered by accessory buildings there shall be erected a wall constructed of brick or cement block and faced with stucco on both sides and suitably coped, this wall to be not less than 8 ft. in height, except that this wall may start at a height of 4 ft., at the street line of Jerome avenue and be graduated at the rate of one foot in four to the height of 8 ft.; that there shall be no openings in this wall and accessory buildings to the adjoining properties; that there shall be no excavation under any of these buildings except for the pits for the greasing racks; that the front of the greasing rack section shall be left open; that the balance of the property where not covered by accessory buildings and wall shall be paved with cement or asphalt for a distance of at least 45 ft. northerly from the Jerome avenue building line and for the entire width of the plot, the balance of the space to be surfaced with cracked blue stone, provided such space is cement or asphalt paved within one year's time; that such gasoline pumps as are erected shall be not nearer than 15 ft. from the street building line; that there shall be erected along street building line a concrete curbing not less than 5 in. in height and 12 in. in width with rounded top with not over two (2) openings therein, no opening to exceed 25 ft. in width and no part of any opening to be nearer than 8 ft. from the interior lot lines on either side, with cuts in curb opposite such openings not exceeding 30 ft. in width each; that no portable gasoline tanks shall be used at or from the property; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs attached to building, excluding all roof signs and temporary signs, but permitting the erection of one post standard within the building line of Jerome avenue, carrying a sign which may be illuminated, advertising only the brand of gasoline on sale, provided this sign does not extend beyond the building line a distance of more than

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4 ft.; that no open flame shall be permitted on the property and that there shall be no automobile repairing other than the brake service; that there shall be no storage or parking of cars on the premises other than those being serviced; that all permits shall be obtained within three months and all work completed within six months from the date of this amended resolution.

"Resolved further, that in the event the owner desires to substitute some other use for the brake adjusting here-in permitted, such use may be permitted, such as radiator repairing, battery testing or automobile repairing, requiring no machine tools therefor, except grinder and a drill, each requiring a motor power of not over 1/2 H each, or a use conforming in a business district."

150-37-BZ.

APPLICANT—John F. Ellison (lessee), for Lourose Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—255-263 Ralph avenue, northeast corner of Marion street (Block No. 1513, Lot Nos. 1, 3 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(150-37-BZ)

WHEREAS, John F. Ellison (lessee), for Lourose Realty Corporation, owner, filed April 3, 1937, an application under the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 255-263 Ralph avenue, northeast corner of Marion street (Block No. 1513, Lot Nos. 1, 3 and 4), Borough of Brooklyn; and

WHEREAS, the application was granted by the Board April 26, 1938, for a temporary period of two years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on April 26, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted under section 7h, for a temporary term of two (2) years from the date of this amended resolution."

335-37-BZ.

APPLICANT—Irving L. Levy, for Edgar H. Meyers, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the maintenance of a junk yard for a temporary period.

PREMISES AFFECTED—1040-1056 Rockaway avenue, west side, 140 ft. south of Linden boulevard (Block No. 3643, part of Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mortimer J. Goodstein and Edgar Meyers.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(335-37-BZ)

WHEREAS, Samuel Reice, for Edgar H. Meyers, owner, filed July 1, 1937, an application under the building zone resolution, to permit in a business use district the maintenance of a junk yard; premises 1040-1056 Rockaway avenue, west side, 140 ft. south of Linden boulevard (Block No. 3643, part of Lot No. 40), Borough of Brooklyn; and

WHEREAS, this application was granted May 10, 1938, for a temporary period of five years, on certain conditions, and applicant requested an extension of the permit.

Resolved, that the resolution adopted by the Board on May 10, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 for a period of ten years from May 10, 1938, to permit premises under appeal to be used for the storage and handling of scrap iron, *on condition* that the operation shall meet the requirements of the department."

438-37-BZ.

APPLICANT—Samuels and Samuels, for Gralane Realty Company, Inc., and 550 Park Avenue Corporation, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the use of the plot for the open air parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—41-15 to 41-45 Kissena boulevard, 138-01 to 138-19 Barclay avenue, northeast corner and 136-14 to 136-22 41st (Madison) avenue (Block No. 5044, Lot Nos. 1, 5, 7 and 11), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(438-37-BZ)

WHEREAS, Samuels & Samuels, for Gralane Realty Co., Inc., and 550 Park Avenue Corporation, owners, filed September 8, 1937, an application under the building zone resolution to permit partly in a business district and partly in a residence district the use of the plot for the open air parking of more than five (5) motor vehicles; premises 41-15 to 41-45 Kissena boulevard, 138-01 to 138-19 Barclay street, northeast corner, and 136-14 to 136-22 41st (Madison) avenue (Block No. 5044, Lot Nos. 1, 5, 7 and 11), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board May 17, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on May 17, 1938, be and it hereby is *amended*, so that as amended the resolution shall read:

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"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7h and 21 thereof, for a period of two years from the date of this *amended resolution*, to permit a portion of the plot under appeal to be used for the parking and storage of more than five motor vehicles, restricted to Lots 2, 5, 7 and 11, as reapportioned, and as indicated on plans marked 'received April 9, 1940', with a frontage of approximately 321 ft. on Kissena boulevard and a general depth of 200 ft., including, however, the excess depth, as shown, of Lots 2 and 5, *on condition* that entrance to this plot shall be solely from Kissena boulevard and that there shall be suitable fences or other barricades erected on the lines of lots 1 and 2, so as to preclude the use of such lots and to preclude entrance or exit from Barclay street and 41st avenue, there being a school adjacent on such streets; that no buildings other than those now existing shall be erected thereon, except that there may be a building not over 150 sq. ft. in area and not more than one (1) story in height, to be used as an office and shelter for the attendant; that any lights erected for general illumination shall be placed as to reflect away from the adjoining residential occupancies; that no signs shall be erected on the premises other than a neat sign at the entrance from Kissena boulevard, advertising only the parking and storage use herein permitted, not excluding, however, the existing signs on the existing one story store buildings; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that existing curb cuts from Barclay street and 41st avenue shall be restored; that the plot shall be levelled and shall be surfaced with clean cinders, clean gravel or other suitable material, properly rolled and bound; that all permits shall be obtained and all work completed within six (6) months from the date of this amended resolution."

599-37-BZ.

APPLICANT—Bess Oresky, for DeWitt Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1663-1681 St. Nicholas avenue, west side, 14 ft. 5 in. north of Fairview avenue, and 59-61 Hillside avenue (Block No. 2170, Lot No. 129), Borough of Manhattan.

APPEARANCES—

For Applicant: A. N. Getterman.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(599-37-BZ)

WHEREAS, Lama and Proskauer, for DeWitt Holding Corporation, owner, filed December 17, 1937, an application under the building zone resolution, to permit for a temporary period of not more than two (2) years, partly in a business use district and partly in a residence use district for the parking and storage of more than five motor vehicles; premises 1663-1681 St. Nicholas avenue, west side, 14 ft. 5 in. north of Fairview avenue and 59-61 Hillside avenue (Block No. 2170, Lot No. 129), Borough of Manhattan; and

WHEREAS, this application was granted by the Board April 12, 1938, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on April 12, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted under section 7h for a temporary term of two (2) years from the date of this *amended resolution*."

913-38-BZ.

APPLICANT—Kew Gardens Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—80-02 Kew Gardens road, south side, from 80th road to Union turnpike (Block No. 3348, part of Lot No. 37), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: George H. Corey.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(913-38-BZ)

WHEREAS, George H. Corey, for Kew Gardens Corporation, owner, filed October 21, 1938, an application under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles; premises 80-02 Kew Gardens road, south side, from 80th road to Union turnpike (Block No. 3348, part of Lot No. 37), Kew Gardens, Borough of Queens; and

WHEREAS, this application was granted by the Board May 23, 1939, for a temporary period of one year, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on May 23, 1939, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted under section 7h for a temporary term of two years from the date of this *amended resolution*."

44-39-BZ.

APPLICANT—John F. Meehan, for Sinclair Refining Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—108-15 Northern boulevard, northwest corner of 110th street (Block No. 1703, Lot No. 44), Corona, Borough of Queens.

APPEARANCES—

For Applicant: John F. Meehan.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

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THE RESOLUTION—

(44-39-BZ)

WHEREAS, John F. Meehan, for Sinclair Refining Company, owner, filed January 13, 1939, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 108-15 Northern boulevard, northwest corner of 110th street (Block No. 1703, Lot No. 44), Corona, Borough of Queens; and

WHEREAS, this application was granted by the Board March 21, 1939, on certain conditions, and applicant requested an amendment of the resolution, as to the time for obtaining permits and completion of the work.

Resolved, that the resolution adopted by the Board on March 21, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"That in view of plans having been filed and approved May 4, 1939, as above required, all permits shall be obtained and all work completed within six (6) months from the date of this *amended resolution*."

1175-39-BZ.

APPLICANT—Abraham J. Halperin, for Sears, Roebuck and Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham J. Halperin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent Assistant Chief McCarthy	1

THE RESOLUTION—

(1175-39-BZ)

WHEREAS, Abraham J. Halperin, for Sears Roebuck and Company, owner, filed September 25, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block No. 5133, Lot No. 38-49, inclusive), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board February 27, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on February 27, 1940, be and it hereby is *amended*, only so far as it has reference to the entrances, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a temporary term of two (2) years, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so parked and that such parking shall be in connection with the business of the adjoining plot of Sears Roebuck and Company for convenience of customers and employees; that the plot shall be levelled substantially to the grade of East 22nd street

and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting, and graded so as to provide surface drainage; that on the street building lines there shall be erected a substantial woven wire fence with steel posts not less than 6 ft. in height; that openings therein for entrance and exit shall be restricted to one to East 22nd street, located approximately as indicated on plans marked '*received April 2, 1940*', and one to Beverly road as indicated on such plans; that such entrances shall not exceed 20 ft. in width with curb cut opposite of similar width; that on the northerly lot line no fence need be constructed, provided the brick wall of adjoining building is continuous for the full depth; that on the easterly lot line no fence need be constructed, and this lot may be used in conjunction with the adjoining lot for the transient parking as permitted under Cal. No. 73-38-BZ by resolution adopted by the Board July 28, 1938, and under similar conditions as therein set forth; that no sign shall be erected on the premises, except there may be a sign at the entrance on East 22nd street, advertising the parking use, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line; that this parking lot shall be open only during the hours that the department store of Sears Roebuck and Company on the adjoining lot is open for business; that the applicant shall file a plan showing the parking space covered by this application and the parking space covered by application 73-38-BZ, and the existing buildings and proposed extension to same and also showing all curb cuts, fences and aisles; that such plan shall be filed within thirty days from the date of this resolution; that all permits required shall be obtained and all work completed within three months from the date of this action."

APPEALS FROM ADMINISTRATIVE DECISIONS.

32-40-A.

APPLICANT—Edward C. O. Thomas, for Ralph H. Beard (Guardian of Mary Beard, an infant).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33-34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward C. O. Thomas and William J. Minogue.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to April 16, 1940, at 2 P.M., for inspection by the Board.

242-40-A.

APPLICANT—Benjamin W. Levitan, for Witt Holding Corporation, owner.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Levis.

ACTION OF BOARD—Laid over to April 16, 1940, at 2 P.M., on request of appellant.

244-40-A.

APPLICANT—Paramount Pictures, Inc. (lessee), for Allied Owners' Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2085, Lot No. 1), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Benjamin Fincke.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to April 16, 1940, at 2 P.M., for inspection by a committee of the Board.

1472-39-A.

APPLICANT—Abraham N. Horwitz, for Commercial Feather and Down Company, Inc., owner (Speed Chemical Co., Inc., lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—70-76 Commercial street, southeast corner of Box street (Block No. 2482, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on request of appellant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

291-40-A.

APPLICANT—Paul Friedman, for George Angelestro, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—519-521 Remsen avenue, east side, 210 ft. south of Linden boulevard (Block No. 4687, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Appeal withdrawn on request of applicant, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

308-40-A.

APPLICANT—John E. Lane, for Shore Homes Developers, Inc., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

APPEARANCES—

For Applicant: John E. Lane.

ACTION OF BOARD—Appeal withdrawn on request of appellant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

328-40-A.

APPLICANT—Viverito Brothers (lessees), for Hertenstein and Koff, owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—262 Water street, west side, 70 ft. north of Peck slip (Block No. 106, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Viverito and Abraham Koff.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

151-40-A.

APPLICANT—Ansonia Fire Prevention Company, for W.T. Grant Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George E. Green and F. Westenhagen.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative ..	0

THE RESOLUTION—

(151-40-A)

WHEREAS, Ansonia Fire Prevention Company, for W. T. Grant Company, owner, filed February 8, 1940, an appeal from an order and a decision of the fire commissioner; premises 37-12 Main street, west side, 107.40 ft. south of 37th avenue (Block No. 841, Lot No. 38), Flushing, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 3043-LF, dated July 21, 1939, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated, February 7, 1940; and

WHEREAS, the building is two stories (25 ft.) in height, 32.63 ft. by 152 ft. in area; of Class 3 construction; located in a business use district; and occupied: cellar, boiler room and sales floor, 25 persons; first floor, department store, 50 persons; second floor, office, 5 persons; and

WHEREAS, it is proposed to install a non-automatic sprinkler system in the cellar; and

WHEREAS, the applicant contends that the premises in question are used throughout by one tenant for department store purposes, as shown on plan filed with this appeal; that the greater portion of the cellar is used as a sales floor with a small portion in the rear for boiler room; that the area of this cellar is approximately 4800 sq. ft., and that there are three stairways leading up to the first floor.

Resolved, that the order of the fire commissioner, No. 3043-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 percent in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building and that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10

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inches above the sidewalk at the Main street frontage of the building and at the rear of the building, available from the rear yard and right-of-way from 38th avenue; that the caps of these hose inlets and sign stating area covered shall be painted aluminum; that on the sign on the Main street frontage of the building there shall also be a notice stating that there is a siamese available at the rear yard.

225-40-A.

APPLICANT—Ansonia Fire Prevention Company, for F. H. Kresge Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(225-40-A)

WHEREAS, Ansonia Fire Prevention Company, for F. H. Kresge Company, owner, filed March 1, 1940, an appeal from an order and a decision of the fire commissioner; premises 37-10 Main street, west side, 70.12 ft. south of 37th avenue (Block No. 841, Lot No. 36), Flushing, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 3017-LF, dated July 18, 1939, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers in cellar* having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated February 7, 1940; and

WHEREAS, the building is two stories (25 ft.) in height, 37 ft. 3 3/8 in. by 207 ft. 3 1/2 in. in area; of Class 3 construction; located in a business use district and occupied: cellar, stock room and boiler room, 6 persons; first floor, sales floor, 50 persons; second floor, office, 5 persons; and

WHEREAS, it is proposed to install throughout the cellar a non-automatic sprinkler system with an approved type siamese connection on the street front; that in addition it is proposed to connect the sprinklers protecting the hazardous portions, such as the kitchen, paper rooms, and unpacking space, to the domestic line, so that these sprinklers will be wet at all times; and

WHEREAS, the applicant contends that the building is used throughout by one tenant as a department store; that the cellar is used for stock room, kitchen and boiler room, as shown on plan filed with this appeal; that there are two brick enclosed stairways remote from each other, the stairway at the rear having egress to the rear yard which extends to 37th avenue.

Resolved, that the order of the fire commissioner, No. 3017-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 percent in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1 1/4 inch drain with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and that the dry and wet lines

shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at last 10 inches above the sidewalk at the Main street frontage of the building and at the rear of the building, available from the rear yard and right-of-way from 37th avenue; that the caps of these hose inlets and sign stating area covered shall be painted aluminum; that on the sign on the Main street frontage of the building there shall also be a notice stating that there is a siamese available at the rear yard.

286-40-A.

APPLICANT—The Wall Street Journal Building Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—42-44 Broad street, west side, 128 ft. 6 1/2 in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas B. Fenlon and James J. Ackell.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Carthy

Negative

THE RESOLUTION—

(286-40-A)

WHEREAS, The Wall Street Journal Building Company, owner, filed March 14, 1940, an appeal from an order and decisions of the fire commissioner; premises 42-44 Broad street, west side, 128 ft. 6 1/2 in. south of Exchange place and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan; and

WHEREAS, order No. 7021-LF, issued by the fire commissioner, dated January 29, 1940, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, said order was referred to in decisions of the fire commissioner, dated February 14, 1940, and March 15, 1940; and

WHEREAS, the building is 7 stories (99 ft. 5 1/2 in.) in height, 64 ft. 1 in. by 159 ft. irregular in area; of Class 1 construction; erected in 1932; located in a business use B area district and occupied: cellar, pressroom and storage, 3 persons; first floor, printing and lobby, 52 persons; mezzanine, mailing, 17 persons; second floor, mechanical equipment, 76 persons; third floor, offices, 105 persons; fourth, fifth and sixth floors, same, 37, 24 and 44 persons, respectively; seventh floor, service and repair, 31 persons; eighth floor, penthouse and offices, 3 persons. The building is equipped with one interior stairs and one fire tower (3 ft. 8 in. wide) extending from street to roof, of fireproof construction. A ladder has been provided from roof to the roof of the adjoining building on the north; and

WHEREAS, the applicant contends the building is modern, having adequate fire protection, including interior fire alarm system and standpipe system; that the installation of sprinklers beyond those proposed to be installed as shown on plans filed herewith, would alleviate no present fire hazard and be of no assistance in fire-fighting.

Resolved, that the order of the fire commissioner, No. 7021-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a sprinkler system complying with the requirements of the building code therefor, with

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one supply from New street, as indicated, from the existing domestic water main, provided proper check valve is installed and with one siamese connection to such sprinkler system at the Broad street building line; that the sprinkler heads may be omitted over the presses and in the electrical equipment rooms, provided an additional head is located at the enclosed stairway near New street over the entrance door thereto.

320-40-A.

APPLICANT—John B. Benedetto, for Mildred Cantasano, owner (James Riviello, lessee).

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—334 Water street, north side, 48 ft. 6½ in. east of Roosevelt street (Block No. 110, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: John B. Benedetto.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied; motion to reconsider denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Assistant Chief McCarthy 2

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Assistant Chief McCarthy 2

THE RESOLUTION—

(320-40-A)

WHEREAS, John B. Benedetto (James Riviello, lessee), for Mildred Cantasano, owner, filed March 29, 1940, an appeal from an order of the fire commissioner; premises 334 Water street, north side, 48 ft. 6½ in. east of Roosevelt street (Block No. 110, Lot No. 40), Borough of Manhattan; and

WHEREAS, order No. 21172-LC, issued by the fire commissioner March 1, 1940, reads:

"Before a permit may be issued for the storage and use of loose waste paper the following must be done:

1. Provide an approved fire extinguishing system for instance, an automatic sprinkler system. Sec. C19-149.0-C-4 Article 26 of the Administrative Code."

and

WHEREAS, the building is four stories (42 ft. 6 in.) in height, 18 ft. 11 in. by 67 ft. 9 in. in area; of Class 3 construction; erected in 1880; located in an unrestricted use district and occupied: cellar, vacant; first floor, baling of paper, 1 person; second floor, sorting of paper, 1 person; third floor, sorting of rags, 1 person; fourth floor, vacant; and

WHEREAS, the applicant contends that he personally acquired title to the premises in June, 1939; that at that time and for approximately 30 years prior thereto, the premises were occupied as at present; that the fire department issued permits for the storage of paper to former tenants without any restrictions; that in 1931 the building was renovated; that in 1939 the present owner made extensive alterations, so that the premises are in very good condition; that the present lessee sorts and bales about two (2) tons of paper a day; that this baled paper is removed from the premises about three times a week; that there is never more than one ton of this paper on the premises; that the order is unreasonable under the circumstances, and if enforced would deprive the owner of the use of the premises.

Resolved, that order No. 21172-LC, issued by the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

321-40-A.

APPLICANT—John B. Benedetto, for Domenico Benedetto, owner (Tanico Brothers, lessees).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—383 Water street, south side, 60.5 ft. west of Catherine slip (Block No. 251, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: John B. Benedetto.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(321-40-A)

WHEREAS, John B. Benedetto (Tanico Brothers, lessees), for Domenico Benedetto, owner, filed March 29, 1940, an appeal from an order of the fire commissioner; premises 383 Water street, south side, 60.5 ft. west of Catherine slip (Block No. 251, Lot No. 23), Borough of Manhattan; and

WHEREAS, order No. 21151-LC, issued by the fire commissioner March 1, 1940, reads:

"Before a permit may be issued for the storage and sale of waste paper, the following must be done:

1. Provide an approved fire extinguishing system for instance, an automatic sprinkler system. Sec. C-19-149-0-c-4, Article 26 Administrative Code."

and

WHEREAS, the building is four stories (40 ft.) in height, 20 ft. by 70 ft. in area; of Class 3 construction; erected in 1871; located in an unrestricted use district; and occupied: first floor, baling of paper, 1 person; second floor, sorting of paper; third floor, vacant; fourth floor, vacant; and

WHEREAS, the applicant contends that the present owner altered the building in 1915; that since 1915 the building has been occupied as at present; that fire department permits were granted for the use stated before that time; that paper is sorted on the second floor and thrown into machines on the first floor; that there is less than one ton of loose paper at any one time; that the upper stories are vacant; that the order is unreasonable and if enforced will deprive the owner of the use of the premises.

Resolved, that the order of the fire commissioner, No. 21151-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building a non-automatic sprinkler system complying with the requirements of the building code therefor, except that the interior alarm need not be installed; that all fittings and hangers shall be of malleable iron; that there shall be a single approved siamese hose inlet located on the front of the building; that the sign and cap of this hose inlet shall be painted aluminum; that the sprinkler heads may be spaced 25 percent in excess of the code requirements; that any trap doors in the floors shall be equipped with fusible links so as to close automatically in case of fire; and that the third and fourth floors shall remain vacant and unoccupied.

329-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—173-04 to 173-12 47th avenue, southeast corner of Fresh Meadow lane and south side of 47 th avenue, 49.48 ft. and 89.48 ft. east of Fresh Meadow lane (Block No. 5585, Lot No. 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(329-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Inc., owner, filed April 1, 1940, an appeal from decisions of the borough superintendent of buildings; premises 173-04 to 173-12 47th avenue, southeast corner of Fresh Meadow lane and south side of 47th avenue, 49.48 ft. and 89.48 ft. east of Fresh Meadow lane (Block No. 5585, Lot No. 6), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 1329-40 and 1330-40, re 173-04 47th avenue, southeast corner of Fresh Meadow lane, dated March 18, 1940, reads:

"The erection of a frame building within Fire limits is contrary to Sect. 4.1.2 Building Code."

and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 1331-1332-40, relating to premises 173-08 47th avenue, south side, 49.48 ft. east of Fresh Meadow lane, dated March 18, 1940, reads:

"The erection of a frame building within the Fire limits is contrary to Sect. 4.1.2 of Bldg. Code."

and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 1333-1334-40, relating to premises 173-12 47th avenue, south side, 89.48 ft. east of Fresh Meadow lane, dated March 18, 1940, reads:

"The erection of a frame building within Fire limits is contrary to Sect. 4.1.2 of Building Code."

and

WHEREAS, the premises consist of a plot fronting 129.48 ft. on 47th avenue and 100.02 ft. on Fresh Meadow lane; located in an unrestricted use B area district; it is proposed to subdivide into separate lots and to erect thereon three (3) one and one-half story frame one-family dwellings and three (3) private garages as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the premises involved represent but a small portion of the large development; that it is the intention to develop the entire area with small buildings; that the property will be restricted to residential use; that the buildings will be brick veneered to the plate line and garages will be of brick veneer or concrete block.

Resolved that the decision of the borough superintendent, on Building Applics. 1329, 1330, 1331, 1332, 1333 and 1334 of 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the construction of the buildings as proposed, *on condition* that the requirements of the zoning resolution for an "F" district shall be complied with, except that the side yard of the corner house shall be not less than 13 ft. in width; that within such yard and court spaces, uncovered porches and stoops for doorways may be permitted; that the houses shall be brick veneered up to the plate line; that the roofs shall be surfaced with incombustible weather surfacing material; that the garages shall be not nearer than one foot to the side building line and shall harmonize in construction with the building on the same lot; that the gable ends may be of frame, provided that in the rear the gable end is protected with incombustible materials; that any windows in the garage opening toward the interior lot line shall be of fireproof frames and sash, glazed with wire glass; that the building and accessory garage on each lot shall be restricted to the occupancy of one family only; that in all other respects the building shall comply with the requirements of the building code for a residence building outside the fire limits.

330-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—173-03 to 173-11 47th avenue, northeast corner of Fresh Meadow lane and north side of 47th avenue, 50.62 ft. and 90.62 ft. east of Fresh Meadow lane (Block No. 5583, Lot No. 10), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(330-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Inc., owner, filed April 1, 1940, an appeal from decisions of the borough superintendent of buildings; premises 173-03, 173-07 and 173-11 47th avenue, northeast corner of Fresh Meadow lane (Block No. 5583, Lot No. 10). Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 1303 and 1304, relating to premises 173-03 to 173-11 47th avenue, northeast corner of Fresh Meadow lane, dated March 18, 1940, reads:

"The erection of a frame building within the Fire limits is contrary to Sect. 4.1.2 of Building Code."

and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. Nos. 1305 and 1306, relating to premises 173-07 47th avenue, north side, 50.62 ft. east of Fresh Meadow lane; dated March 18, 1940, reads:

"The erection of a frame building within Fire Limits is contrary to section 4.1.2 of Building Code."

and

WHEREAS, the decision of the borough superintendent on N.B. Applic. Nos. 1307 and 1808, relating to premises 173-11 47th avenue, 90.62 ft. east of Fresh Meadow lane, dated March 18, 1940, reads:

"The erection of a frame building within Fire Limits is contrary to Sect. 4.1.2 of Building Code."

and

WHEREAS, the premises consist of a plot located in an unrestricted use B area district, with a frontage of 136.02 ft. on 47th avenue and 100.02 ft. on Fresh Meadow lane. It is proposed to sub-divide the premises into three separate lots and to erect thereon three (3) one and one-half story frame dwellings and three (3) fireproof garages as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the premises involved represent but a small portion of the large development; that it is the intention to develop the entire area with small buildings; that the property will be restricted to residential use; that the buildings will be brick veneered to the plate line and garages will be of brick veneer or concrete block.

Resolved, that the decision of the borough superintendent, on Building Applic. Nos. 1303, 1304, 1305, 1306, 1307 and 1308 of 1940, be and it hereby is *modified*, that the appeal be and it hereby is *granted* so as to permit the construction of the buildings as proposed, *on condition* that the requirements of the zoning resolution for an "F" district shall be complied with; that the houses shall be brick veneered up to the plate line; that the roofs shall be surfaced with incombustible weather surfacing material; that the garages shall be not nearer than one foot to the side building line and shall harmonize in construction with the building on the same lot; that the gable ends may be of frame provided that in the rear the gable end is protected with incombustible materials; that any windows in the garage opening toward the interior lot lines shall be of fireproof frames and sash, glazed with wire glass; that the building and ac-

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cessory garage on each lot shall be restricted to the occupancy of one family only; that in all other respects the building shall comply with the requirements of the building code for a residence building outside the fire limits.

334-40-A.

APPLICANT—Fred H. Shepherd, for The President of The Borough of Queens, Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—North side of Northern boulevard (Block No. 30, Lot No. 1), Flushing River, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Fred H. Shepherd.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(334-40-A)

WHEREAS, Fred H. Shepherd, for The President of the Borough of Queens, Department of Public Works, City of New York, owner, filed April 2, 1940, an appeal from a decision—re an order of the fire commissioner; premises north side of Northern boulevard at Flushing River (Block No. 30, Lot No. 1), Corona, Borough of Queens; and

WHEREAS, order No. 74161-LC, issued by the fire commissioner February 1, 1938, reads:

"1. Install fill box terminal, as per Rule 7.4.1, Fuel Oil Rules.

2. Protect fuel oil storage tank (20,000 gallons) as per Rule 6.3.2, Fuel Oil Rules."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated March 28, 1940; and

WHEREAS, the premises consist of a plot approximately 422 ft. by 620 ft. in area, upon which a series of buildings and structures have been erected for occupancy as an asphalt plant by the City of New York; and

WHEREAS, the applicant contends that due to soil conditions it is found impossible to bury the tanks completely under ground; that at least two-thirds of the tanks are below the surface of the ground and that each tank is covered with cellular asbestos; that a live steam line is connected to each tank and steam is always available; that the tanks are used for storage of No. 6 oil; that a 40-gallon Foamite machine is maintained on the premises; that a constant supply of sand amounting to 1,000 cubic yards is always on hand; that due to soil conditions the water, steam, electric and oil lines are above ground and protected; that the plant is in charge of competent men who are familiar with the operation of the oil burners and the maintenance of the plant.

Resolved, that the order of the fire commissioner, No. 74161-LC, Items 1 and 2, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the 10,000 gallon tank and the 20,000 gallon tank installed shall be approximately one-half below grade level, and that the portions of the tanks above grade shall be protected with a reinforced concrete jacketing not less than 4 inches in thickness; that in all other respects the tanks and installation shall comply with the Oil Burner Rules of the Board of Standards and Appeals therefor, and that the tanks shall be used solely for the storage of No. 6 oil; that the fill box terminal may be installed on top of tanks as at present located; that the fire-fighting equipment shall be maintained as described.

338-40-A.

APPLICANT—Marcus L. Berman, for Department of

Markets, City of New York, owner (Eastern Wine Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Southeast corner of East 151st street and Exterior street (Block No. 2497, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Marcus L. Berman.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(338-40-A)

WHEREAS, Marcus L. Berman (Eastern Wine Corporation, lessee), for Department of Markets, City of New York, owner, filed April 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises southeast corner of East 151st street and Exterior street (Block No. 2497, Lot No. 34), Bronx Terminal Market, Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 62-40, dated March 25, 1940, reads:

3. Objection remains. Steel must be encased in materials of 3 hour rating (10.2.5).

6. Objection remains. Stairs on platform must be enclosed and comply with Sec. 6.1.2.2.4, 6.4.1.8.1 and 6.4.1.11)." and

WHEREAS, the building is six stories (93 ft.) in height, 335 ft. 6 in. by 316 ft. 2 in. in area; of Class 1 construction; equipped with a standpipe system; located in an unrestricted use district; erected in 1924 and occupied throughout for storage and public market; and

WHEREAS, it is proposed to construct a storage platform with steel frame work and wood floor to carry empty cases and bottles; that this platform will be hung from existing steel, supported by new columns, and divided into two sections with a conveyor system down the center; and

WHEREAS, the applicant contends that the proposed structure will not be part of the floor or column construction and should not come under the provisions of section 10.2.5 of the Administrative Code; that the structure is a temporary one and will be removed by the lessee at the termination of the lease.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 62-40, objections 3 and 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, waiving the requirements for encasing the steel of the proposed racks and the enclosure of stairs within the story, *on condition* that the racks shall be solely for the purpose proposed and shall be removed upon the expiration of the present tenancy.

341-40-A.

APPLICANT—Sidney L. Strauss, for Namm's Department Store, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—148-154 Ashland place, southwest corner of Lafayette street (Block No. 2087, Lot Nos. 25 and 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(341-40-A)

WHEREAS, Sidney L. Strauss, for Namm's Department Store, owner, filed April 4, 1940, an appeal from an order of the fire commissioner; premises 148-154 Ashland place, southwest corner of Lafayette street (Block No. 2087, Lot Nos. 25 and 23), Borough of Brooklyn; and

WHEREAS, order No. 81875-LC, issued by the fire commissioner dated December 4, 1939, reads:

"3. Provide a fireproof door for all openings in spraying, dipping or immersing rooms. Rule 414 Spray Rules.

4. Provide that spray, dipping and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors. Rule 411, Spray Rules." and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated March 11, 1940; and

WHEREAS, the building is three stories and cellar (40 ft.) in height, 125 ft. by 100 ft. 8 in. in area; of Class 3 construction; equipped with a standpipe and sprinkler system; located in a business use B area district; erected in 1910 and occupied: cellar, storage; first floor, warehouse and workroom, 5 persons; second floor, warehouse, 2 persons; third floor, same; and

WHEREAS, the applicant contends that the spraying referred to in the order is merely for the purpose of touching up pieces of furniture that have been damaged in shipping or handling; that a spray booth has been constructed of a heavy gauge metal, properly reinforced on all walls and ceilings; that the floor of the booth is the wood floor of the building; that the building is equipped throughout with sprinkler and standpipe systems; that the booth is provided with an independent means of ventilation, proper electric wiring and sprinkler protection; that inasmuch as the actual spraying done on the premises is negligible, the applicant requests the order be waived.

Resolved, that the order of the fire commissioner, No. 81875-LC, as to Items 3 and 4, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the continuance of the spraying equipment as described, provided the sprinkler system throughout the building is maintained to the satisfaction of the fire commissioner, and so long as the building is occupied substantially as at present, and that the work of spraying is of minor and incidental character; that the floor of the spray booths shall be protected with incombustible materials to the satisfaction of the fire commissioner, and that the sprinkler equipment in the spray booth and the ventilation therefrom shall also be maintained to the satisfaction of the fire commissioner; that the amount of spray materials on hand shall at no time exceed one gallon and shall be stored in approved containers; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

343-40-A.

APPLICANT—Hans Weber (lessee), for 218-17 Jamaica Avenue Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—218-27 Jamaica avenue, south side, 18 ft. west of 219th street (Block No. 1645, Lot No. 36), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Hans Weber.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(343-40-A)

WHEREAS, Hans Weber, for 218-17 Jamaica Avenue Corporation, owner, filed April 3, 1940, an appeal from an order of the fire commissioner; premises 218-27 Jamaica avenue, south side, 18 ft. west of 219th street (Block No. 1645, Lot No. 36), Queens Village, Borough of Queens; and

WHEREAS, order No. 81940-C, issued by the fire commissioner January 17, 1940, reads:

"1. Provide that walls of rooms used for handling photographic film be constructed of fire retarding material, plaster board ½ inch or hard asbestos ¼ inch thick on both sides of wood studs.

2. Make doors to room used for handling photographic film metal covered and self-closing.

3. Provide two means of exit from each floor.

4. Provide one 2½ gallon fire extinguisher."

and

WHEREAS, the building is two stories (20 ft.) in height, 18 ft. by 40 ft. in area; of Class 3 construction; located in a business use district; erected in 1920 and occupied: cellar, photography developing and storage; first floor, store; 2nd floor, one family; and

WHEREAS, the applicant contends that the laboratory located in the cellar is 6½ ft. by 9 ft., occupied as a dark room; that no film or other combustibles are stored therein; that only from 1 to 3 films are developed daily by a wet process; that there is no film scrap kept on the premises anywhere; that there is no photo finishing for the trade; that it would be a hardship to be compelled to comply with the order in view of the small profit derived from the business.

Resolved, that the order of the fire commissioner, No. 81940-C, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Items 1, 2, 3 and 4 thereof, on condition that the premises shall be maintained to the satisfaction of the fire commissioner; that the amount of film stored and developed shall not exceed the amount stated; that such portable fire-fighting appliances, consisting of pails of water and sand shall be maintained as the fire commissioner shall direct.

VARIATIONS OF THE LABOR LAW.

318-40-S.

APPLICANT—W. Schier, for Charmouth Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order and decisions of the fire commissioner.

PREMISES AFFECTED—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: W. Schier.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to April 16, 1940, at 2 P.M., for inspection by a committee of the Board.

287-40-S.

APPLICANT—The Wall Street Journal Building Company, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan.

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APPEARANCES—

For Applicant: Thomas B. Fenlon and James J. Ackell.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3

Negative: Assistant Chief McCarthy 1

THE RESOLUTION—

(287-40-S)

WHEREAS, The Wall Street Journal Building Company, owner, filed March 14, 1940, an application for a variation of the labor law as cited in an order of the fire commissioner; premises 42-44 Broad street, west side, 128 ft. 6½ in. south of Exchange place, and 38-40 New street (Block No. 24, Lot No. 34), Borough of Manhattan; and

WHEREAS, order No. 7019-LF, issued by the fire commissioner January 29, 1940, reads:

"An inspection of the premises 42-44 Broad street, 38-40 New street, Borough of Manhattan, shows that a fire drill should be established and maintained therein according to the requirements of Section 279 of the Labor Law. The Labor Law specifically charges the Fire Commissioner with the duty of enforcing the provisions of the law, as to fire drills."

and

WHEREAS, the building is seven stories (99 ft. 5½ in.) in height, 64 ft. 1 in. by 159 ft. irregular in area; of Class 1 construction; erected in 1932; located in a business use B area district and occupied: cellar, pressroom and storage, 3 persons; first floor, printing and lobby, 52 persons; mezzanine, mailing, 17 persons; second floor, mechanical equipment, 76 persons; third floor, offices, 105 persons; fourth, fifth and sixth floors, same, 37, 24 and 44 persons, respectively; seventh floor, service and repair, 31 persons; eighth floor, penthouse and offices, 3 persons. The building is equipped with one interior stairs and one fire tower, 3 ft. 8 in. wide, extending from street to roof, of fireproof construction. A ladder has been provided from roof to roof of the adjoining building on the north; and

WHEREAS, the applicant contends that the construction and use of the building is such that there is no hazard requiring a fire drill; that the building is essentially a commercial building and not such as was contemplated by Section 279 of the labor law; that the enforcement of the order would result in an unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the order of the fire commissioner, No. 7019-LF, *on condition* that the sprinkler system shall be installed in the cellar, as required in the resolution adopted by the Board under Cal. No. 286-40-A; that the fire alarm system shall be maintained throughout to the satisfaction of the fire commissioner; that the means of exit as set forth shall be maintained, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and *granted* only so long as the building is continued in the present occupancy.

322-40-S.

APPLICANT—John J. Gilmartin, for Reformed Protestant Dutch Church, owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—192 Broadway and 1-11 John street, northeast corner (Block No. 79, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(322-40-S)

WHEREAS, John J. Gilmartin, for the Reformed Protestant Dutch Church, owner, filed March 29, 1940, an application for a variation of the labor law, as cited in a decision of the borough superintendent of buildings; premises 192 Broadway and 1-11 John street, northeast corner (Block No. 79, Lot No. 15), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 1545-39, dated February 29, 1940, reads:

"2. Provide two means of egress from each floor as required by Section 271 subdivision 1 of Labor Law and factory exit rules of the Board of Standards and Appeals.

3. Show continuous enclosure about stairway as wrought iron grill about elevator shaft is unacceptable, but should comply with Section 264 of Labor Law."

and

WHEREAS, the building is eight stories and penthouse (108 ft.) in height, 20 ft. by 161 ft. 4 in. in area; located partly in a business use district and partly in an unrestricted use district; erected in 1888; equipped with one interior stairs, 5 ft. wide, of steel and slate construction, enclosed in brick walls and 3-inch gypsum block with fireproof self-closing doors at openings with fire escapes located at the front and rear extending from roof to yard and thence to street, with fireproof windows on the course thereof. The building is occupied: subcellar, engine room, 2 persons; cellar, restaurant, 50 persons; first floor, stores, 50 persons; second to eighth floors, inclusive, offices and manufacturing, 50 persons each floor; and

WHEREAS, the applicant contends that the building was used for offices until 1939; that at that time the lessee of the building sublet the floor space for the manufacturing of jewelry, repairing of watches, and for a few custom tailors; that in connection with an application for a certificate of occupancy for these uses, alteration plans were filed, resulting in the objections appealed from herein; that it is proposed to enclose the present stairway as required by the labor law; that the labor law will be complied with in all other respects.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent on Alt. Applic. No. 1545-39, and that the application be and it hereby is *granted* as to Items 2 and 3 thereof, *on condition* that the stairway shall be enclosed throughout in accordance with the requirements of the building code; that all doors opening therein shall be fireproof and self-closing; that the existing grille openings to elevator shaft within such stairway enclosure may be continued, provided there is constructed within the cellar story a fireproof horizontal partition closing off the elevator shafts, and that underneath such enclosure there shall be installed sprinkler heads connected with the domestic water supply system of the building, one head in each shaft; that at least two sprinkler heads shall be installed in the ceiling of the room adjacent thereto, used for the storage of waste paper; that the existing fire escape on the John street front to the third story and on the northerly wall of the building, and the two fire escapes on the northerly wall of the building reaching the roof of the adjoining building to the north, shall be maintained so as to provide a second means of exit from each story thereby and, provided that the exit on the fire escapes to the north shall at all times be available to the street during working hours; that the manufacturing throughout the building shall be restricted to light manufacturing, consisting of jewelry, repairing of watches and custom tailoring; that all occupants at factory work shall not exceed an average of ten persons per floor throughout the building above the second floor level; that the windows on the course of the fire escapes shall have

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metal frames and shall be self-closing with wire glass; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied herein.

323-40-S.

APPLICANT—Julius Eckman, for C. H. Schultheis, Inc., owner.

SUBJECT—Variation of the labor law as cited in an order and decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—13 East 16th street, north side, 241.10 ft. east of Fifth avenue (Block No. 844, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(323-40-S)

WHEREAS, Julius Eckman, for C. H. Schultheis, Inc., owner, filed March 28, 1940, an application for a variation of the labor law as cited in a decision of the borough superintendent of buildings; premises 13 East 16th street, north side, 241.10 ft. east of Fifth avenue (Block No. 844, Lot No. 10), Borough of Manhattan; and

WHEREAS, Violation No. 268-1940, issued by the borough superintendent on January 15, 1940, reads:

"You will please take notice that there exists a violation of Section 274 of the Labor Law at the premises hereinafter described, in that

A safe and unobstructed exit is not provided from termination of rear fire escape as required by law.

REMEDY:

You are hereby directed to provide a safe exit from fire escape at once."

and

WHEREAS, said order was repeated in a decision of the borough superintendent, dated March 26, 1940; and

WHEREAS, the building is eight stories (98 ft.) in height, 25 ft. by 92 ft. in area at first floor, 25 ft. by 86 ft. in area at typical floor; of fireproof construction; located in an unrestricted use district; erected in 1900, and occupied: cellar, ordinary storage, boiler room, 2 persons; first floor, lunch room; second floor, pants manufacturing, 3 persons; third floor, printing, 4 persons; fourth floor, clothing manufacturing, 5 persons; fifth floor, pants manufacturing, 3 persons; sixth floor, button manufacturing, 6 persons; seventh floor, stock room, 2 persons; eighth floor, manufacture of bindings, 4 persons; and

WHEREAS, the building is equipped with a standpipe system, an interior fire-alarm, one 3 ft. wide iron stairs, fireproof enclosed; equipped with kalamein self-closing doors at openings, with a fire escape at the rear extending from roof and connecting at the second story to adjoining balconies as shown on plans, with windows on the course thereof of wire glass in kalamein frames and sash; and

WHEREAS, the applicant contends that the means of egress from termination of the fire escape as previously accepted by the Board under Cal. 467-24-S, has been eliminated by the present owner of 15-17 East 16th street; that access to the other remaining adjacent buildings will continue as shown on plans filed with this application.

Resolved that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, Violation No. 268-40, and that the application be and it hereby is *granted on condition* that the second means of exit shall be arranged, as indicated on plans marked "Received March 28, 1940," by means of a system of fire escapes in-

terconnected on the rear of the buildings, so as to permit exit from all stories through connected buildings to the street, provided that all windows on the course thereof shall be made fireproof and self-closing; that this condition may be accepted in lieu of the condition previously accepted under Cal. No. 467-24-S, provided the balconies from the fire escapes on the rear of the buildings facing East 17th street to the balconies on the rear of the buildings facing on East 16th street shall be not less than 4 ft. in width; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

324-40-S.

APPLICANT—Julius Eckman, for The Brooklyn Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—14 East 17th street, south side, 216 ft. east of Fifth avenue (Block No. 844, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(324-40-S)

WHEREAS, Julius Eckman, for the Brooklyn Savings Bank, owner, filed March 28, 1940, an application for a variation of the labor law as cited in an order of the borough superintendent of buildings; premises 14 East 17th street, south side, 216 ft. east of Fifth avenue (Block No. 844, Lot No. 34), Borough of Manhattan; and

WHEREAS, Violation No. 269-1940, issued by the borough superintendent January 15, 1940, reads:

"You will please take notice that there exists a violation of Section 274 of the Labor Law at the premises hereinafter described, in that

A safe and unobstructed exit is not provided from termination of rear fire escape as required by law.

REMEDY:

You are hereby directed to provide a safe exit from fire escape at once."

and

WHEREAS, said order was repeated in a decision of the borough superintendent dated March 26, 1940; and

WHEREAS, the building is eight stories (110 ft.) in height, 25 ft. by 92 ft. in area at first floor and 25 ft. by 86 ft. in area at typical floor; located in an unrestricted use district; erected in 1896 and occupied: cellar, ordinary storage and boiler room, 2 persons; first floor, clothing showroom, 6 persons; second floor, vacant; third floor, manufacturing drugs, 5 persons; fourth floor, vacant; fifth floor, clothing manufacture, 5 persons; sixth floor, underwear manufacture, 5 persons; seventh floor, cosmetics, 5 persons; eighth floor, underwear manufacture, 34 persons. The building is equipped with a standpipe system, an interior fire alarm system, and one 3 ft. wide stairs of iron construction, leading from roof to street, enclosed with fireproof block, equipped with kalamein self-closing doors at openings, and a fire escape at the rear extending to roof by stairs and connecting at the second story to adjoining balconies; and

WHEREAS, the applicant contends that the means of egress from termination of the fire escape which was previously accepted by the Board under Cal. No. 443-32-A has been eliminated by the present owner of 15-17 East 16th street; that access to the other remaining adjacent buildings will continue as shown on plans filed with this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor

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law, as cited in a decision of the borough superintendent, Violation No. 269-40, and that the application be and it hereby is *granted on condition* that the second means of exit shall be arranged, as indicated on plans marked "Received March 28, 1940", by means of a system of fire escapes interconnected on the rear of the buildings, so as to permit exit from all stories through connected buildings to the street, and provided that all windows on the course thereof shall be made fireproof and self-closing; that the balconies from the fire escapes on the rear of the buildings facing East 17th street to the balconies on rear of the buildings facing on East 16th street shall be not less than four feet in width; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

325-40-S.

APPLICANT—Julius Eckman, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Variation of the labor law as cited in an order of the acting borough superintendent of buildings.

PREMISES AFFECTED—16 East 17th street, south side, 241 ft. east of Fifth avenue (Block No. 844, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(325-40-S)

WHEREAS, Julius Eckman, for Central Hanover Bank and Trust Company, owner, filed March 28, 1940, an application for a variation of the labor law as cited in an order and a decision of the acting borough superintendent of buildings; premises 16 East 17th street, south side, 241 ft. east of Fifth avenue (Block No. 844, Lot No. 33), Borough of Manhattan; and

WHEREAS, Violation No. 270-1940, issued by the borough superintendent January 15, 1940, reads:

"You will please take notice that there exists a violation of Section 275 of the Labor Law, at the premises hereinafter described, in that

A safe and unobstructed exit is not provided from termination of rear fire escape as required by law.

REMEDY:

You are hereby directed to provide a safe exit from fire escape at once."

and

WHEREAS, said order was repeated in a decision of the borough superintendent, dated March 26, 1940; and

WHEREAS, the building is eight stories (110 ft.) in height, 25 ft. by 92 ft. in area at first floor and 25 ft. by 86 ft. in area at typical floor; located in an unrestricted use district; erected in 1898 and occupied: cellar, ordinary storage and boiler room, 2 persons; first floor, button manufacture, 5 persons; second floor, same, 5 persons; third floor, book manufacturing, 4 persons; fourth floor, vacant; fifth floor, vacant; sixth floor, clothing manufacture, 5 persons; seventh floor, clothing manufacture, 9 persons; eighth floor, leather goods manufacture, 14 persons; and

WHEREAS, the building is equipped with a standpipe system, an interior fire alarm system, and a 3 ft. 6 in. wide iron stairs, extending from roof to street, enclosed with fireproof blocks, equipped with kalamein self-closing doors at openings, and a fire escape at rear, extending from roof and connecting at second story to adjoining fire escape balconies; and

WHEREAS, the applicant contends that the means of egress from the termination of the fire escape which was previously accepted by the Board under Cal. No. 1107-23-S, has been eliminated by the present owner of 15-17 East 16th street:

that access to the other remaining adjacent buildings will continue as shown on plans filed with this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, Violation No. 270-40 and that the application be and it hereby is *granted on condition* that the second means of exit shall be arranged, as indicated on plans marked "Received March 28, 1940," by means of a system of fire escapes interconnected on the rear of the buildings, so as to permit exit from all stories through connected buildings to the street, provided that all windows on the course thereof shall be made fireproof and self-closing; that this condition may be accepted in lieu of the condition previously accepted under Cal. No. 1107-23-S, provided the balconies from fire escapes on the rear of the buildings facing East 17th street to the balconies on the rear of the buildings facing on East 16th street shall be not less than four feet in width; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

326-40-S.

APPLICANT—Julius Eckman, for Guardian Life Insurance Company, owner.

SUBJECT—Variation of the labor law as cited in an order of the acting borough superintendent of buildings.

PREMISES AFFECTED—20 East 17th street, south side, 291 ft. east of Fifth avenue (Block No. 844, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(326-40-S)

WHEREAS, Julius Eckman, for Guardian Life Insurance Company, owner, filed March 28, 1940, an application for a variation of the labor law as cited in an order of the borough superintendent of buildings; premises 20 East 17th street, south side, 291 ft. east of Fifth avenue (Block No. 844, Lot No. 31), Borough of Manhattan; and

WHEREAS, order No. 271-1940, issued by the borough superintendent January 16, 1940, reads:

"You will please take notice that there exists a violation of Section 274 of the Labor Law at the premises hereinafter described, in that

A safe and unobstructed exit is not provided from termination of rear fire escape as required by law.

REMEDY:

You are hereby directed to provide a safe exit from rear fire escape at once."

and

WHEREAS, said order was repeated in a decision of the borough superintendent, dated March 26, 1940; and

WHEREAS, the building is eight stories (109 ft.) in height, 25 ft. by 92 ft. in area at first floor and 25 ft. by 86 ft. in area above; of fireproof construction; located in an unrestricted use district; erected in 1896 and occupied: cellar, storage and boiler room; first floor, store and show room, 5 persons; second floor, drug supplies, 5 persons; third floor, manufacture of slippers, 5 persons; fourth floor, manufacture of drug sundries, 2 persons; fifth floor, same, 2 persons; sixth floor, wicker shop and manufacture of wicker; seventh floor, vacant; eighth floor, manufacture of leather goods, 4 persons. The building is equipped with a standpipe system, and interior fire alarm system and one 3 ft. wide interior stairs, extending from roof to street, or iron construction, enclosed with fireproof blocks and equipped with kalamein self-closing doors at openings; and also equipped with a 45 degree fire escape at the rear, extending to roof and connect-

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ing at the second story with balconies of the adjoining fire escape; and

WHEREAS, the applicant contends that the means of egress from termination of the fire escape which was previously accepted by the Board under Cal. No. 155-27-S has been eliminated by the present owner of 15-17 East 16th street; that access to the other remaining adjacent buildings will continue as shown on plans filed with this application.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law, as cited in a decision of the borough superintendent, Violation No. 271-40 and that the application be and it hereby is granted on condition that the second means of exit shall be arranged, as indicated on plans marked "Received March 28, 1940," by means of a system of fire escapes interconnected on the rear of the buildings, so as to permit exit from all stories through connected buildings to the street, provided that all windows on the course thereof shall be made fireproof and self-closing; that this condition may be accepted in lieu of the condition previously accepted under Cal. No. 155-27-S, provided the balconies from the fire escapes on the rear of the buildings facing East 17th street to the balconies on the rear of the buildings facing on East 16th street shall be not less than 4 feet in width; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto..

APPLIANCE SUBMITTED FOR APPROVAL.

935-24-SA.

APPLICANT—F. P. Goertz, for Blackmer Pump Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re approval of Blackmer Pump Company Rotary Pump Shaft Seal (Blackmer Rotary Pump, previously approved by the Board).

APPEARANCES—

For Applicant: F. P. Goertz.

ACTION OF BOARD—Application reopened and referred to Engineer of the Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

MATERIALS SUBMITTED FOR APPROVAL.

119-38-SM.

APPLICANT—Bird and Son, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re approval of Chromatite Floor Covering (Permatred Floor Covering and Chromalin Floor Covering, previously approved).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners, Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(119-38-SM)

WHEREAS, Bird and Son, Inc., owner, filed February 28, 1938, an application with the Board of Standards and Appeals for approval of the materials known as Chromalin Floor Covering, and Permatred Floor Covering; and

WHEREAS, these materials were tested by a committee of the Board, report of which committee was as follows:

June 25, 1938.

Cal. No. 119-38-SM.

Subject: Chromalin Floor Covering-Permatred Floor Covering.

Bird and Son, Inc., East Walpole, Mass., filed on February 28, 1938, an application for the approval of the floor coverings known as Chromalin and Permatred, in accordance with the pertinent provisions of the Administrative Code, the Multiple Dwelling Law and the rules and regulations of the Tenement House Department as revised June, 1937.

Chromalin is a floor covering consisting of a mastic made up of wood flour and special synthetic binders, cemented to a base of asphalt saturated, rag felt. The binders are gums and synthetic resins, which, in combination with a vehicle, constitute the binder.

Permatred is a floor covering made by the same manufacturer, consisting of a mastic made of pitch and other synthetic binders and mineral materials, including color pigment, and cemented to an asphalt saturate rag felt base.

Tests were made with a blow torch at the plant of Bird and Son, Inc., at East Walpole, Mass., on four panels, 24 in. by 24 in., three of which had the material known as Chromalin cemented to an incombustible deck, while the fourth was nailed to a wood deck. All tests were performed with decks standing almost vertically. In the case of the three incombustible deck specimens, the covering ignited and went out almost immediately, even though the torch was applied along the bottom edge. A similar test on the wood deck specimen developed a vigorous flame when the blow torch was applied along the bottom of panel specimen. The vigor of this flame was due to the fact that there was an air space between the Chromalin and the wood decking, which differed from the other specimens in that they were cemented. The flame, however, died out before the sample was one-third consumed and without any ignition of the (white pine) deck. None of these materials gave off any obnoxious fumes or quantity of smoke.

Under Section 10.9.2.4 BC (Adm. Code C-26-667.0, sub. 4) it is recommended that this material be approved for use as a wearing surface, when cemented to the floor construction, under the rules and regulations of the Tenement House Department revised June, 1937, Article IV, when installed in accordance with the requirements of this article, as a linoleum in existing Class A multiple dwellings, in public halls and stairs, and also as permitted in 6-1.3 Ten. House Dept. Rules, felt base floor coverings in a public hall of fireproof construction. This material is marketed in rolls and bundled or roll shall be labeled, tagged or stamped, "Chromalin" or "Permatred" and "Approved by the Board of Standards and Appeals under Cal. No. 119-38-SM for use in New York City."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, these materials were approved by the Board July 6, 1938, and applicant requested the approval of additional material; and

WHEREAS, this additional material was referred to the committee on tests for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

April 3, 1940.

Cal. No. 119-38-SM.

Subject: Chromalin Floor Covering, Permatred Floor Covering, Chromatite Floor Covering.

Bird and Son filed a request on March 28, 1940, for

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the reopening of the approval granted July 6, 1938, to include the approval of Chromatile Floor Covering. This material is tile, cut in sizes 9 in. by 9 in. and 12 in. by 12 in., and border materials. The tile is made of the same materials and has the same properties as Chromalin Floor Covering previously approved. On the basis of the tests performed on Chromalin, the committee recommends the reopening and amendment of the approval as granted to include Chromatile Floor Covering for use on floors *above grade*, when applied to a properly prepared floor base with a dry lining felt and Lignin paste and in areas where excessive water spillage obtains an asphalt saturated felt and a resin cement shall be used. In all other respects, this material shall comply with the requirements of the basic approval.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report of the committee on tests recommended the reopening and amendment of the resolution to include approval of this additional material.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted July 6, 1938, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the materials known as Chromalin, Permatred and Chromatile for use in New York City, when manufactured and installed in accordance with the above reports, on condition that each bundle or roll marketed in New York City, shall be labeled, tagged or stamped, 'Chromalin', 'Permatred,' and 'Chromatile', and the words 'Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 119-38-SM'."

475-39-SM.

APPLICANT—Full Trap Manufacturing Company, for Thomas K. Klosterman, owner.

SUBJECT—Full Trap Primer Valve, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval denied.

THE VOTE TO APPROVE—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum 3

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(475-39-SM)

WHEREAS, the Full Trap Manufacturing Company, for Thomas K. Klosterman, owner, filed April 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Full Trap Primer Valve; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 475-39-SM.

Subject: Approval of Full Trap Primer Valve.

Thomas K. Klosterman for Full Trap Manufacturing Company, owner, filed April 17, 1939, an application with the Board of Standards and Appeals for approval of the Full Trap Primer Valve under the provisions of C26-1277.0 (14.8.2.8) Adm. Bldg. Code and the Rules of the Board of Standards and Appeals for submerged inlets.

The Full Trap Primer Valve was subjected to a test at the vacuum bench of the Department of Water Supply, Gas and Electricity at 32 Vandewater street on January 22, 1940, in the presence of representatives of the owner and of the Department of Water Supply, Gas and

Electricity and of the Board of Standards and Appeals.

The Full Trap Primer Valve was designed to insure the proper sealing of drain traps by arranging to periodically serve water to the trap. This unit is to be placed in a water supply pipe which it is reasoned will be used frequently. The connection serving the drain trap is fitted with the two circular air ports designed to prevent siphonage from the drain pipe to the water supply piping.

While vacuum tests indicated that this device could successfully withstand a vacuum equivalent to 28 in. of mercury, the fact remains that it is a direct cross-connection between water supply piping and drainage piping. The utilization of this appliance is specifically prohibited in Section C-26-1223.0, 14.2.4 Adm. Code, entitled "Water Supply", except when the fixture is equipped with an approved anti-siphon device as provided for in C26-1277.0h (14.8.2.8).

As a result of this device failing to meet the requirements of the test, it is recommended that the application for the approval of the Full Trap Primer Valve be denied.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report of the committee on tests recommended that the application for approval be denied.

Resolved, that the application for approval of the Full Trap Manufacturing Company's Full Trap Primer Valve be and it hereby is denied.

1105-39-SM.

APPLICANT—The Pelton and Crane Company, owner.
SUBJECT—The Pelton and Crane Company, Vacuum Breaker (for use with surgical fountain), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1105-39-SM)

WHEREAS, The Pelton and Crane Company, owner, filed September 7, 1939, an application with the Board of Standards and Appeals for approval of the Pelton and Crane Company Vacuum Breaker for use with surgical fountains; and

WHEREAS, this material was subject to test and failed to meet the requirements and was recommended for disapproval by the committee on tests; and

WHEREAS, the applicant requested that the application be withdrawn in view of the adverse report.

Resolved, that the application be and it hereby is withdrawn.

185-40-SM.

APPLICANT—Hospital Supply Company, owner.

SUBJECT—Approval of the Air-Break Climax Sterilizer.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval denied.

THE VOTE TO APPROVE—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum 3

Absent: Assistant Chief McCarthy 1

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THE RESOLUTION—

(185-40-SM)

WHEREAS, The Hospital Supply Company, owner, filed February 16, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Air-Break Climax Sterilizer; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

March 29, 1940.

Re: Cal. No. 185-40-SM.

Subject: Approval of the Air-Break Climax Sterilizer.

The Hospital Supply Company, owner, filed an application with the Board of Standards and Appeals for approval of the Air-Break Climax Water Filling Device (Sterilizer), under the provision of C26-1277.0 (14.8.2.8) Adm. Bldg. Code and the Rules of the Board of Standards and Appeals for submerged inlets.

The unit was tested at the vacuum bench of the Department of Water Supply, Gas and Electricity on February 28, 1940, in the presence of representatives of the owner, the Department of Water Supply, Gas and Electricity and the Board of Standards and Appeals.

The unit tested was a sterilizer equipped with a water supply, $\frac{3}{8}$ in. diameter through the unit from the rear near the top, the water line being raised approximately 6 in. above the overflow level of the sterilizer in a "U" formation with the down leg perforated for air vents and an inner tube conveying the water past the point of perforation.

The unit, upon being subjected to a vacuum the equivalent of $27\frac{1}{2}$ in. of mercury, drew simulated contaminated water from the flooded water pan of the unit, and continued to do so until the vacuum was less than the equivalent of 5 in. of mercury.

This type of direct connection to a sterilizer is specifically prohibited under Rule No. 4 of Rules relative to Submerged Inlets adopted by the Board on February 3, 1939, which states in part:

"STERILIZERS. Direct water supply piping connections to sterilizers are prohibited."

In view of the existing regulation, the Air-Break Climax Water Filling Device (Sterilizer) manufactured by the Hospital Supply Company does not warrant approval under the requirements of Section 14.8.2.8 of the Building Code.

The construction of this unit also involves, at least one violation of the regulations prohibiting cross-connections between the city water supply piping and waste piping, in that a waste tube is connected from the bonnet of the water valve into the overflow waste of the sterilizer.

While the unit submitted for test was not equipped with

a vapor condenser, a catalogue submitted indicates that a number of the units are equipped with such a feature, being a direct water connection to the overflow waste to condenser vapors arising from the sterilizing pan into the overflow waste. This also violates the regulations prohibiting direct cross-connections.

As a result of this device failing to meet the requirements of the test, it is recommended that the application for approval of the Air-Break Climax Sterilizer be denied.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended that the application for approval of this material be denied.

Resolved, that the application for approval of the Air-Break Sterilizer be and it hereby is *denied*.

Adjourned, 5:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING.

FRIDAY MORNING, APRIL 12, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

RULES.

294-40-SR.

SUBJECT—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

ACTION OF BOARD—Adjourned to May 3, 1940, at 10 A.M.

Adjourned, 10:10 A.M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

(Cal. No. 1-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 17, 1940, at 10 A.M., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

NOTE—New matter in *italics*; old matter in brackets [] to be omitted.

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the *Borough* Superintendent. The *Borough* Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the *Borough* Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

3.12 COMPLETION OF WORK.

Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the *Borough* Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the constructor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the *Borough* Superintendents. All certificates of qualification issued shall be uniform for the fire Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

- 4.2.3 The *Borough* Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

- 4.2.4 *Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year. Such record shall be on a form of certificate as approved by the Board of Standards and Appeals.*

Rule 5. Qualification Test for Welders.

- 5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the *Borough* Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City [may] *shall* be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and [if the operator is to perform overhead welding] two in the overhead welding position.

- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same *general* type of electrodes or welding rods as are to be used in the work for which the operator is being tested. [the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify]

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the *Borough* Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the *Borough* Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the *Borough* Superintendent.

- 9.1.1. *The Borough Superintendent may, in the case of minor welding operations, including stairs*

PUBLIC HEARING

and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 The welder and the welds shall be protected by adequate covering against high winds, rain, snow or sleet.

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature (of the base metal) is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld (over an area of 9 square inches) shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, [and] Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or seal, affixed by the standard Testing Agency or Inspection Agency, to the effect that these Rules have been complied with.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Carpets and Similar Materials, for use in places of
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Notice of Public Hearing on Proposed Amendments to
Rules for Fusion Welding and Gas Cutting.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

Decision—re Certificate of
Occupancy.

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406-40-SA.....	Sun Industrial Oil Burner,	Appliance.
407-40-BZ....	H.B.B.....	1927-1935 Flatbush avenue, north-east corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn, N.B. 175-40.
408-40-A.....	H.B.M....	516 East 16th street, south side, 245 ft. 6 in. east of Avenue A (Block No. 973, Lot No. 48), Borough of Manhattan, N.B. 13-40.
409-40-A.....	H.B.Q.....	201-26 Northern boulevard, southwest corner of 202nd street (Block No. 5523, Lot No. 28), Bayside, Borough of Queens, N.B. 2313-40.
410-40-A.....	H.B.M....	1332 - 1350 Broadway, 597 - 617 Sixth avenue, entire block bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan, Alt. 196-40.
411-40-S.....	H.B.M....	1332 - 1350 Broadway, 597 - 617 Sixth avenue. entire block bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan, Alt. 196-40.
412-40-A.....	H.B.R....	44 Murray Hulbert avenue, northwest corner of Hannah street (Block No. 487, Lot No. 206), Tompkinsville, Borough of Richmond, N.B. 64-40.
413-40-SM.....	Weber Vacuum Breaker, for Dental Cuspidors, manufactured by The Weber Dental Manufacturing Company,	Material.
414-40-BZ....	H.B.M....	455 West 153rd street, north side, 220 ft. east of Amsterdam avenue (Block No. 2068, Lot No. 10), Borough of Manhattan,

415-40-BZ....	H.B.Q.....	124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens, N.B. 2532-40
416-40-BZ....	H.B.M....	135 West 52nd street, north side 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan, Alt. 933-40.
417-40-BZ....	H.B.Q.....	159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Rockaway Beach, Borough of Queens, N.B. 9412-39.
418-40-SA.....	Carrier Fan and Recirculation Units, Types 27Q and 27R,	Appliance.
419-40-SA.....	Carrier Centrifugal Refrigeration Unit, Type 17M,	Appliance.
420-40-A.....	H.B.Q.....	163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens, N.B. 9981-39, N.B. 9982-39 and Alt. 4-40.

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1193-21-SA.....	Quimby Gear - in - Head Type Screw Pump for Fuel Oil,	Appliance.
582-38-BZ....	H.B.Q.....	222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens, N.B. 2797-38.
308-40-A.....	H.B.B.....	51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn, N.B. 398-40 to N.B. 407-40, inclusive.

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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 55
Vacuum Breakers	Nov. 7, 1939—Vol. 24, No. 45

APRIL 23, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 23, 1940, at 10 o'clock, in Room 1013, Municipal building, Manhattan, on the following matters:*

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway,

northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district, the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 1526-39-BZ—Application, December 20, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Daniel T. Slattery, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2740, Lot No. 16), Borough of Brooklyn.

CAL. NO. 104-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the park-

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ing of more than five (5) motor vehicles for a temporary period; premises 89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, reopened March 5, 1940, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 90-05 to 90-11 160th street, east side, and 90-06 to 90-12 161st street, west side, 50 ft south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 119-37-BZ—Application of Arthur W. Renander, applicant, on behalf of William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners, reopened March 5, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

CAL. NO. 95-40-BZ—Application, January 27, 1940, under section 7h of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.

CAL. NO. 167-40-BZ—Application, February 13, 1940, under sections 7c and 21 of the building zone resolution, of Albert Mayer and Julian H. Whittlesey, applicants, on behalf of 240 Central Park South, Inc., owner, to permit, partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class "A" multiple dwelling having business use (stores and restaurant) on the first story; premises 232-240 Central Park South, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot No. 58), Borough of Manhattan.

CAL. NO. 282-35-BZ—Application of Paul Friedman, applicant, on behalf of Bay Parkway Holding Corporation, owner, reopened for rehearing on alleged new facts January 30, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court); premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1501-39-BZ—Application, December 13, 1939, under section 21 of the building zone resolution, of James R. Curreri, applicant, on behalf of R. Marinelli, owner, to permit in a residence use district the erection and maintenance of a business building (two (2) stores) and, also, the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

CAL. NO. 177-40-BZ—Application, February 14, 1940, under sections 7b and 7c of the building zone resolution, of H. I. Feldman, applicant, on behalf of Bonvenu Corporation, owner, to permit, partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises 17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 23, 1940, 2 P. M.

Appeals from Administrative Decisions.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

392-40-A—Re transportation, storage and sale of combustible mixture, known as "Cisco Solvent" in non-refillable cans in New York City.

1339-39-A—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

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64-40-A—447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx.

376-40-A—115 Ludlow street, west side, 161 ft. 1 in. north of Delancey street (Block No. A-10, Lot No. 24), Borough of Manhattan.

378-40-A—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

259-40-A—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens (Under Section 35, General City Law—re Bed of Mapped Street).

317-40-A—46-02 Fifth street, west side, between 47th avenue and Standard Canal (11th street Basin); (Boiler Plant); (Block No. 21, Lot No. 1, and Block No. 22, Lot No. 1), Long Island City, Borough of Queens.

345-40-A—116-15 Marsden street, north side, 111.54 ft. east of 116th avenue (Block No. 3097, Lot No. 42), Jamaica, Borough of Queens.

409-40-A—201-26 Northern boulevard, southwest corner of 202nd street (Block No. 5523, Lot No. 28), Bayside, Borough of Queens.

412-40-A—44 Murray Hulbert avenue, northwest corner of Hannah street (Block No. 487, Lot No. 206), Tompkinsville, Borough of Richmond.

Variations of the Labor Law.

382-40-S—1-11 Bartlett street, north side, 88 ft. 6 in. west of Harrison avenue, and 639-641 Flushing avenue (Building No. 6); (Block No. 2268, Lot No. 1), Borough of Brooklyn.

296-40-S—270 Jamaica avenue, south side, 56 ft. 9 $\frac{5}{8}$ in. east of Hendrix street (Block No. 3919, Lot No. 13), Borough of Brooklyn.

APRIL 30, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, April 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 275-40-BZ—Application, March 13, 1940, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of the Department of Public Works, City of New York, owner, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of

Lot No. 122), West New Brighton, Borough of Richmond.

CAL. NO. 328-39-BZ—Application, March 15, 1939; dismissed for lack of prosecution March 19, 1940; reopened and restored to Calendar April 2, 1940, of Robert A. Pabian, applicant, on behalf of Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Cook, owners (Joseph Sliva, lessee), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 93-38-BZ—Application, February 16, 1938; dismissed for lack of prosecution June 27, 1939; reopened and restored to Calendar April 9, 1940, of M. P. Murphy, applicant and owner, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-11 30th (Grand) avenue, north side, 50 ft. west of 29th street (Block No. 575, Lot No. 21), Long Island City, Borough of Queens.

CL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 1422-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of J. & P. Development Corporation, owner, to permit in a residence use district the creation and maintenance of a gasoline service station, lubricatorium, auto laundry and office; premises 133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

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CAL. NO. 1242-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Alken Realty Corporation, owner (Shell Oil Company, Inc., lessee), to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmand.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert Sheffield Farms Company, Inc., owner, G. Zetsche, applicants, on behalf of to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 30, 1940, 2 P. M.

Appeals from Administrative Decisions.

61-40-A—36-18 to 36-20 Main street, west side, 166 ft. south of Northern boulevard (Block No. 827, Lot No. 43), Flushing, Borough of Queens.

85-40-A—11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan.

251-40-A-WF—40-33 Lawrence street, east side, 54.17 ft. south of 40th avenue (Block No. 5037, Lot No. 12), Flushing, Borough of Queens.

374-40-A—1613-1633 Dean street, north side, 127 ft. 1 3/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

433-40-A—Re transportation of gasoline in tank trucks (construction of tanks not built of steel in accordance with Fire Department specifications for tanks) in New York City.

410-40-A—1332-1350 Broadway and 597-617 Sixth avenue, blocks bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan.

Variation of the Labor Law.

411-40-S—1332-1350 Broadway and 597-617 Sixth avenue, blocks bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan.

MAY 3, 1940, 10 A. M.

Rules.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Appeals from Administrative Decisions.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

MAY 7, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution. *Tuesday morning, May 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25

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Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

mit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 113-38-BZ—Application, February 23, 1938; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar March 12, 1940, under sections 7h and 21 of the building zone resolution, of Arthur Balley, applicant and lessee, on behalf of Keppler Company, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 163rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 85-39-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, reopened March 19, 1940, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

420-40-A—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 14, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to per-

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to per-

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mit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 67-33-BZ—Application of Stein and Wiener, applicants, on behalf of Harry Weissberg, owner, reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

CAL. NO. 1521-39-BZ—Application, December 19, 1939, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of Josephine Newman, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11

10 and part of Lot Nos. 1 and 12), and 12), Borough of Manhattan.

CAL. NO. 88-40-BZ—Application, January 25, 1940, under sections 7a and 7g of the building zone resolution, of Joseph J. Campbell, applicant and lessee, on behalf of May E. Campbell, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and

CAL. NO. 144-40-BZ—Application, February 3, 1940, under section 21 of the building zone resolution, of Benjamin B. Wesley, applicant, on behalf of Hadley Home Builders, Incorporated, owner, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 26), Borough of Brooklyn.
Ozone Park, Borough of Queens.

HARRISH H. MURDOCK, *Chairman*.

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

MAY 17, 1940, 10 A. M.

Rules.

1-38-SR—Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

MAY 21, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 21, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1266-25-BZ—Application of Jack Z. Cohen, applicant, on behalf of Max M. Leader, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and extension of an acces-

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sory building on an existing gasoline service station (gasoline service station previously granted by the Board); premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

CAL. NO. 1161-39-BZ—Application, September 21, 1939, under sections 7a and 21 of the building zone resolution, of Robert T. Schaefer, applicant, on behalf of Michael McCormick, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop—to be erected, in part, on an existing gasoline service station; premises 4302-4308 Faragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1100-39-BZ—Application, September 5, 1939, under section 21 of the building zone resolution, of William Wolff, applicant, on behalf of Bertha Geis, owner (Samuel Levine, lessee), to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

CAL. NO. 387-39-BZ—Application of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, reopened July 18, 1939, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board); premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of

126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 1308-39-BZ—Application, October 24, 1939, under section 7h of the building zone resolution, of Philip Hirshkind, applicant and lessee, on behalf of Manufacturers Trust Company (as trustee), owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 28, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 28, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 164-40-BZ—Application, February 10, 1940, under section 7h of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Central Savings Bank in the City of New York, owner (George Sommig, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

CAL. NO. 256-40-BZ—Application, March 7, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

CAL. NO. 265-28-BZ—Application of Ottilia Realty Corporation, applicant and owner, reopened February 6, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx.

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CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 152-40-BZ—Application, February 8, 1940, under section 21 of the building zone resolution, of Arnold J. Marshall, applicant and lessee, on behalf of John Bodine Estates, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

CAL. NO. 218-40-BZ—Application, February 29, 1940, under sections 7c and 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit the extension, from a business use

district into a residence use district, of an existing central telephone exchange; premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MAY 28, 1940, 2 P. M.

Appeal from Administrative Decision.

454-40-A—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, APRIL 16, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, March 19, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, March 19, 1940, were approved as printed in Bulletin No. 13, Vol. 25.

BUILDING ZONE CASES.

855-27-BZ.

APPLICANT—Shell Oil Company, Inc. (lessee), for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new facts December 5, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance and reconstruction of a gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Richard Levy.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., applicant to file revised plans not later than May 10th.

963-39-BZ.

APPLICANT—West 36th Street Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sol Rosenberg.

For Opposition: None.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., subject to usual procedure; notices to be sent out not later than May 2nd.

1145-39-BZ.

APPLICANT—James B. Gilhooley, for Henry D. Bultman, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit upon a plot located in a business use district the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—110-01 to 110-25 Rockaway boulevard, northeast corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

MINUTES

APPEARANCES—

For Applicant: James B. Gilhooley.
For Opposition: None.

ACTION OF BOARD—Laid over to May 7, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

56-40-BZ.

APPLICANT—William C. Stohldreier and Robert G. Zetsche, for Sheffield Farms Company, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop.

PREMISES AFFECTED—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: William C. Stohldreier, Frederick H. Rohlf and H. McNabb.

ACTION OF BOARD—Laid over to April 30, 1940, at 10 A.M., for further consideration and investigation by the Board.

275-40-BZ.

APPLICANT—Carl F. Grieshaber, for Department of Public Works, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles.

PREMISES AFFECTED—101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Carl F. Grieshaber and H. W. Orderman.

For Opposition: Frank G. Cosmen, Russel A. Thomas, Hugh S. Kelly, Alexander Graves, Joshua Brown and Henry V. Luba.

ACTION OF BOARD—Laid over to April 30, 1940, at 10 A.M., for further consideration by the Board.

292-17-BZ.

APPLICANT—Van Wart and Ackerman, for The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, owners.

SUBJECT—Application reopened February 27, 1940 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the extension in area of an existing garage for more than five (5) motor vehicles; existing garage previously granted by the Board.

PREMISES AFFECTED—228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank G. Ackerman.
For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(292-17-BZ)

WHEREAS, this application to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 228-230 East 85th street (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan, was granted by the Board April 3, 1917; and

WHEREAS, only three (3) stories of the garage were erected instead of five (5) stories, as permitted; and

WHEREAS, Van Wart and Ackerman, for The 232 East 85th Street Corporation and 228-230 East 85th Street Corporation, present owners, requested a reopening of this application to permit under section 21 of the building zone resolution, in a business use district, the extension in area of this garage for more than five (5) motor vehicles; premises 228-232 East 85th street, south side, 180 ft. 6 in. west of Second avenue (Block No. 1530, Lot Nos. 34 and 132), Borough of Manhattan; and

WHEREAS, this application was reopened by vote of the Board February 27, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, April 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 85th street, East 84th street, Second and Third avenues are in business use districts; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 172-40, dated January 25, 1940, reads:

"1. Contrary to Sect. 4.15 Bldg. Zone Resolution to extend a prohibited use—viz. Public Garage for more than five (5) motor vehicles into a business district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 102 ft. 2 inches. Upon the westerly portion of the plot is located a three (3) story garage for more than five (5) motor vehicles, 50 ft. by 102 ft. 2 in., irregular in area, and upon the easterly portion of the plot is located a five-story tenement, 25 ft. by 92 ft. 2 in. in area. It is proposed to demolish the tenement and erect upon that portion of the plot a three-story fireproof extension (25 ft. by 102 ft. 2 in. in area) to the existing garage for more than five (5) motor vehicles; and

WHEREAS, the present owner has acquired the adjoining premises between the garage at 228 to 230 and 234 to 238 East 85th street and has requested that a variance be granted to permit this plot to be used as an extension to the said garage; and

WHEREAS, in the opinion of the Board this plot is unique and the application should be granted under section 21 of the building zone resolution on the basis of unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 3, 1917, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* reaffirming the action of the Board of Appeals of April 3, 1917.

"*Resolved further*, that in the event the owner desires to extend the garage use by including the adjoining premises to the east, known as No. 232 East 85th street, and to erect thereon an extension of the garage, three stories in height, such extension may be permitted, provided such extension is of fireproof construction throughout, and complies in all respects with the requirements of the zoning resolution, and with all other laws, rules and regulations applicable thereto, substantially as indicated on plans filed marked 'Received February 15, 1940'; that there shall be no windows in the extension opening on the interior lot lines to the rear or to the east; that the wall between the existing garage and the proposed extension may be removed as indicated;

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that the existing exterior stairway shall be maintained in a safe condition with an exit provided either through the adjoining premises to the south to East 84th street or by means of a fireproof passage through the garage to East 85th street; that no roof signs shall be constructed; that all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

756-20-BZ.

APPLICANT—Fordham Plaza Auto Company, Inc., owner.

SUBJECT—Application reopened February 6, 1940—re consideration as to an amendment of resolution—re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—4741-4751 Park avenue, northwest corner of East 189th street, and 2494-2500 Webster avenue, east side, 49.11 ft. north of East 189th street (Block No. 3033, Lot No. 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur C. Berger.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(756-20-BZ)

WHEREAS, Charles S. Clark, architect, for Fordham Plaza Auto Company, owner, filed December 3, 1920, an application under the building zone resolution, to permit in a business district the erection of a garage for more than five (5) motor vehicles; premises 2494-2498 Webster avenue and 4775 Park avenue, Borough of the Bronx; and

WHEREAS, this application was granted by the Board June 28, 1921, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 28, 1921, as amended February 6, 1940, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the building shall be of fireproof construction; that an unpierced wall separate the garage from the Webster avenue front stores, which wall shall be maintained unpierced, and that the architect of record shall make a return to this Board showing that the building has been completed in substantial accordance with the design submitted to the Board, and that the necessary permits for the prosecution of the work be obtained within nine months and the building completed within a year.

"Resolved further, that in the event the owner desires to construct the building two stories in height instead of three stories, as herein permitted, and also desires to occupy part of the second story along Webster avenue for conforming use, such change of use may be permitted, provided a fireproof wall is constructed on the second story to subdivide the area and to separate the conforming use from the non-conforming use, and that such portions of the second floor shall comply as to exits with the requirements of the building code therefor and that any exit door erected in the subdividing wall shall have suitable railing installed so as to permit free opening of the exit door for exit therefrom by means of the garage ramp to East 189th street; that such door shall be equipped with a panic bolt and openable at all times.

"Resolved further, that in the event the owner desires to construct the two-story garage building for the frontage on

Park avenue of 135.88 feet, such extension may be permitted, provided all taxes, rules and regulations applicable to the use and construction of such building shall be complied with."

1129-27-BZ.

APPLICANT—Oscar Lowinson, for Renweis Holding Corporation, owner.

SUBJECT—Application reopened February 21, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); (previously withdrawn).

PREMISES AFFECTED—75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Lowinson and Irving Weisman.

For Opposition: William F. Pelletreau.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1129-27-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the cellar story of an existing multiple dwelling to business use (stores); premises 75 St. Nicholas place and 401 West 153rd street, northwest corner (Block No. 2069, Lot No. 1), Borough of Manhattan, was withdrawn March 27, 1928; and

WHEREAS, Oscar Lowinson, for Renweis Holding Corporation, owner, requested a reopening of this application; and

WHEREAS, this application was reopened by vote of the Board February 21, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, April 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas avenue, St. Nicholas place and West 155th street are in residence and business use districts; West 152nd street is in a residence use district; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 256-39, dated February 9, 1939, reads:

"Creation of business in residence district contrary to Zoning Resolutions.

Plans and application not further considered."

and

WHEREAS, the existing building is six stories and cellar in height, of non-fireproof construction, having a frontage of 164 ft. on St. Nicholas avenue and 77 ft. 10 in. on West 153rd street; it is proposed to maintain the four (4) stores located on the St. Nicholas place frontage of the cellar story of the existing multiple dwelling; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed and that the application be and it hereby is denied.

150-38-BZ.

APPLICANT—William Shary, for Estate of Patrick H.

MINUTES

McNulty, owner (System Service Station, Inc., lessee).

SUBJECT—Application reopened and restored to Calendar December 19, 1939 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary, William R. Altman and Maurice Gillman.

For Opposition: Emanuel Goldberg.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(150-38-BZ)

WHEREAS, this application to permit in a business use district the erection and maintenance of a motor vehicle repair shop and the parking and storage of more than five (5) motor vehicles; premises 4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan, was withdrawn June 27, 1939; and

WHEREAS, William Shary, the applicant requested a reopening of this application to permit the use of the premises for the storage and parking of more than five (5) motor vehicles for a period of not more than two (2) years; and

WHEREAS, this application was reopened by vote of the Board December 19, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway and West 181st street are in business use districts; Bennett avenue and West 184th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 9, 1939, reads:

"Your application dated November 1st, 1939, for a certificate of occupancy for the use of the above premises for the storage and parking of more than five (5) motor vehicles has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by section 4 of the Building Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 286 ft. and a depth of 100 ft. 11 in., occupied by six 5-car metal garages and one 3-car metal garage, a one-story brick building, 50 ft. by 27 ft. in area, occupied as office, lubricatorium and auto laundry, a used car sales space (112 ft. by 36 ft.) and also, as a gasoline service station. It is proposed to demolish the seven (7) metal garages and to occupy the plot for the storage and parking of more than five (5) motor vehicles, and to maintain the present use of the 50 ft. by 27 ft. building (office, lubricatorium and auto laundry), the present gasoline service station, and also the used car sales space; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7 sub-

division h to permit for a term of two (2) years, that portion of the plot toward the north, beginning at a point 100 ft. from the southerly lot line, to be occupied for the storage and parking of automobiles, on condition that only automobiles of the pleasure car type shall be so stored or parked; that all existing buildings on this portion of the plot shall be removed, and the plot shall be graded substantially to the grade of Broadway; that this portion of the plot shall be surfaced with steam cinders or clean gravel or other suitable material, properly rolled and bound; that no automobiles shall be stored or parked within that portion of the plot occupied for the gasoline service station, with a frontage of 100 ft. at the southerly end and for the full depth of the lot; that there shall be erected on the interior lot lines a substantial metal fence either of woven wire with steel posts or with vertical steel pickets; that there shall be erected along the street building line of Broadway a concrete curb on the building line not less than one foot in height and not less than one foot in width continuously from the northerly lot line to a point within 100 ft. of the southerly lot line; that on this curb there shall be erected a steel fence with steel posts and vertical steel pickets, the pickets to be spaced approximately 5 inches on centers and not less than 18 inches in height above curb except that there may be two entrances, located as desired by owner, not more than 4 ft. in width each; that the front portion of this plot may be used for the conforming use of used car display; that the southerly portion shall be occupied exclusively as a gasoline service station as presently arranged; that signs advertising the parking and storage use shall be restricted to signs attached to the fence not over 15 sq. ft. in area, and not extending beyond the building line, advertising only the storage and parking use, and excluding all temporary signs and all roof signs; that the existing sign advertising the sale of used cars shall be replaced within one (1) year with not over two (2) new signs which shall not exceed 25 ft. in length each, one toward the northerly end and one toward the southerly end, advertising the sale of used cars; that the structure of these signs shall be of incombustible materials; that such signs shall not exceed 3 ft. in width and shall be erected within the building line; that proper aisles shall be maintained at all times for proper ingress and egress; that proper fire-fighting appliances shall be installed as the fire commissioner shall direct; that existing curb cuts, other than those existing in front of the gasoline service station shall be restored and the sidewalk repaired; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

1025-39-BZ.

APPLICANT—Frank J. Buttermark, for Mill Road Holding Corporation, owner.

SUBJECT—Application reopened January 3, 1940 (re decision of the borough superintendent of buildings), under section 7f of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution).

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Angelo Constantino, Vincent Taibby and Charles Whitaker.

For Opposition: J. Harry Tiernan, Rosalie Chioringa and Rosalie Giallo.

For Administration: Maurice Schmeidler, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

MINUTES

McCarthy	4
Negative	0
THE RESOLUTION—	
(1025-39-BZ)	

WHEREAS, this application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond, was denied by the Board December 12, 1939; and

WHEREAS, the applicant requested a reopening of this application under the provisions of section 7, subdivision f; and

WHEREAS, this application was reopened by vote of the Board January 3, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, April 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hylan boulevard is in a business use district; New Dorp lane is in a business use district; Coddington avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 10, 1940, reads:

"Application New Building No. 148/1939, filed by Frank J. Buttermark, R.A. on June 1, 1939, for the erection of a gasoline service station at premises 2505 Hylan Boulevard, New Dorp, Borough of Richmond, is hereby denied, it being contrary to the Building Zone Resolution to erect a gasoline service station in a business use zone (Amended Building zone Resolution, Article 2, Paragraph 4)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Hylan boulevard and 100 ft. on New Dorp lane; it is proposed to erect upon the site a one-story office, 30 ft. by 16 ft. in area, an open grease lift, and also, to install the necessary tanks and pumps for a gasoline service station, and to occupy this station for a temporary period of not more than two (2) years; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7f, to permit the plot under appeal to be occupied for a term of two (2) years as a gasoline service station, *on condition* that the plot shall be graded substantially to the grade of the surrounding streets and shall be arranged substantially as indicated on plans filed with this appeal, except that there shall be no open greasing equipment; that if any greasing equipment is installed, it shall be installed in a building as an extension of the proposed accessory building; that the accessory building shall be located substantially in the location indicated on the plans, shall not exceed one (1) story in height, and shall be constructed of incombustible materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of frame, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals, and that the roof is surfaced with approved materials; that there shall be no open excavation under the building; that any greasing equipment shall be of the hydraulic type; that pumps shall be erected on the location as shown; that there shall be erected on the interior lot lines a curb of concrete or other masonry not less than 2 ft. in height above grade and not less than 1 ft. in width, upon which there shall be a lattice wood or steel picket fence erected not less than 5 ft. in height; that the portion of the premises to the west of the accessory building and con-

tinuously from Hylan boulevard to New Dorp lane, as indicated, shall be maintained at all times with suitable landscaping and shall not be used for the storage of cars or storage of other equipment or material; that this space shall be protected with a curb not less than 6 in. in height; that the balance of the premises shall be surfaced with concrete, colprovia or bound crushed bluestone; that a planted area shall also be maintained near the intersection of Hylan boulevard and New Dorp lane, as shown; that this area shall also be protected with a 6 in. concrete curb; that the entrances shall be restricted to two (2) to Hylan boulevard and two (2) to New Dorp lane, no entrance to exceed 25 ft. in width; that curb cuts opposite shall not exceed a similar width; that signs shall be restricted to permanent sign attached to the facade of the accessory building, prohibiting all temporary signs or new signs, but permitting the construction within the building line near the intersection of Hylan boulevard and New Dorp lane of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and extending beyond the building line for a distance of not more than 4 ft.; that during the term of this permit, the premises shall be occupied for no other use than as herein permitted; that there shall be no parking or storage of automobiles other than those being serviced; that there shall be no portable gasoline tanks used on or from the premises; that there shall be no repairing of motor vehicles; that complete working drawings shall be submitted for approval by the Chairman in behalf of the Board before same are submitted to the borough superintendent of buildings; that after approval of such plans, all permits shall be obtained and all work completed within one (1) year from the date of approval.

1238-39-BZ.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority (U. S. Housing Project NY-5-3), owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a garage for four (4) motor vehicles in the basement story of a proposed multiple dwelling; garage space is for use of management officers.

PREMISES AFFECTED—55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Sylvan Bien.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy	4
Negative	0

THE RESOLUTION—

(1238-39-BZ)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority (U. S. Housing Project NY-5-3), owner, filed on October 6, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a garage for four (4) motor vehicles in the basement story of a proposed multiple dwelling; garage space for the use of management officers; premises 55J-61J Jackson street, northwest corner of Water street (Block No. 260, Lot No. 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, April 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jackson street, Water street,

MINUTES

East River drive and Cherry street are in residence use districts; and

WHEREAS, the decision of the borough superintendent, dated September 13, 1939, reads:

,"Re N.B. Applic. 128-39, Bldg. No. 16 of Vladeck Housing Project—Premises 55J-61J Jackson street.

Receipt is acknowledged of your letter of September 7, 1939, regarding change of use from 'storage' to 'garage' of certain space in the above proposed new building.

In reply, please be advised that proposed new building No. 16 of Vladeck Housing Project to be located at 55J to 61J Jackson street will be located in a residence use district and garage use of such district is prohibited by section 3 of the Building Zone Resolution."

and

WHEREAS, the proposed building, to be of Class 1 construction, has a frontage of 61 ft. 8 in. on Jackson street and 32 ft. 4 in. on Water street and will be six stories in height; it is proposed to occupy the proposed building as a multiple dwelling with a garage for four (4) motor vehicles in the basement story; the garage space (890 sq. ft.) to be for the use of management officers of the housing development; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship; and

WHEREAS, the Board is empowered under the provisions of section 60 of the Multiple Dwelling Law to use its discretion to grant such an application as the instant one.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, and under section 60 of the Multiple Dwelling Law, to permit the garage for not over four (4) cars, as shown, *on condition* that in all other respects the construction complies with all laws, rules and regulations applicable thereto, including the requirements of Section 60 of the Multiple Dwelling Law; that the one-source sprinkler system shall comply with the requirements of the building code therefor, except that no siamese need be installed and the one source may be the domestic water supply of the building, provided such supply is not less than two inches; that the ventilation system shall comply with the requirements of the building code with not less than four changes of air per hour; that such ventilation system shall be entirely separate and independent from the rest of the building; that this portion of the building shall be of fireproof construction with no openings to any other portion of the building; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

1408-39-BZ.

APPLICANT—Irving Kirshenblit, for Lydia D. Backus, owner (Edward Aibel, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station and accessory building.

PREMISES AFFECTED—884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Kirshenblit and Francis W. Backus.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Carthy 4
Negative 0

THE RESOLUTION—

(1408-39-BZ)

WHEREAS, Irving Kirshenblit (Edward Aibel, lessee), for Lydia D. Backus, owner, filed November 16, 1939, an application, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station and accessory building; premises 884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that New Lots avenue and Dumont avenue are in business use districts; that Berriman street and Atkins avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 4507-39, dated October 20, 1939, reads:

"Proposed extension of gasoline service station in a business use district and the erection and alteration of buildings to be used in conjunction with gasoline service station is contrary to Art. II, Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Berriman street and 44 ft. 6 in. on New Lots avenue. On the south portion of the plot there is located a building 18 ft. by 44 ft. 6 in. in area, occupied as a 4-car garage, auto laundry, and office, and on the northeast portion of the plot there is located a frame dwelling. The remainder of the plot is used as a greasing pit and a gasoline service station. It is proposed to maintain the existing 4-car garage and auto laundry and office, to demolish the frame dwelling and to erect upon the site a lubritorium, and extend the gas station so as to cover the remainder of the plot; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the legally existing gasoline service station to be extended so as to include the adjoining lot to the east, with a total frontage of 44 ft. 6 inches on New Lots avenue and a depth of 100 ft. on Berriman street; that the existing frame dwelling shall be entirely removed and the station rearranged substantially as shown on plans filed with this application by adding a section to the existing accessory building for greasing purposes; that any greasing equipment installed shall be of the hydraulic type; that there shall be no openable windows on the lot line to the east; that any construction to provide light may be by means of approved glass blocks; that the extension to the existing accessory building shall be constructed of incombustible materials, except that the roof boarding and beams, door frames and doors may be of wood, provided the ceiling is fire-retarded throughout, in accordance with the rules of the Board of Standards and Appeals; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof and temporary signs, but permitting the erection within the building line near the intersection of Berriman street and New Lots avenue of a post standard supporting a sign, which may be illuminated, advertising the brand of gasoline on sale, permitting the sign to extend beyond the building line for not more than 4 feet; that the

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entire premises where not occupied by an accessory building shall be cement paved; that the wall of the adjoining building to the east shall be painted or stuccoed; that the curb cuts to the premises shall not exceed those now existing along Berriman street and one curb cut, centrally located on New Lots avenue, not exceeding 25 ft. in length; that there shall be erected near the intersection of New Lots avenue and Berriman street a block of concrete not less than 12 in. in height and not less than 5 ft. along either street building line of triangular shape as a portection to pedestrians; that gasoline pumps shall not be nearer than 10 ft. to either street building line; that there shall be no repairing of cars on the premises and there shall be no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on the premises; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION.

57-40-A.

APPLICANT—William C. Stohldrier and Robert C. Zetsche, for Sheffield Farms Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4745-4747 Bronx boulevard, southwest corner of East 242nd street (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick H. Rohlf, William C. Stohldreier and H. McNabb.

ACTION OF BOARD—Laid over to April 30, 1940, at 10 A.M., for further consideration by the Board and investigation.

Adjourned, 1:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, APRIL 16, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

351-26-BZ.

APPLICANT—Bernard A. Abrashkin, for Hilsoph Realities, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to uses, so as to permit existing business uses not permitted by the resolution of the Board—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence use district the alteration and extension of a store and factory building.

PREMISES AFFECTED—178-186 Parkside avenue, southeast corner of Ocean avenue (Block No. 5054, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard A. Abrashkin.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

780-27-BZ.

APPLICANT—Edgar Palmieri, for Garbo Garage Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision fo the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration of part of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to permit the erection of an alcove gasoline service station.

PREMISES AFFECTED—112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edgar Palmieri.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

258-34-BZ.

APPLICANT—Twenty Two Thirty Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to signs, so as to permit signs on plate glass transoms and doors, as well as show windows, now permitted—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of a building to be used in part for business purposes (stores).

PREMISES AFFECTED—2230 Grand concourse and 245 East 182nd street, northeast corner (Block No. 3158, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Hyman Pitter.

ACTION OF BOARD—Request to reopen and amend resolution denied.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock

Negative: Commissioners Savage and Blum and Assistant Chief McCarthy

192-38-BZ.

APPLICANT—Power and Hopkins, for Walter W. Welton, et al, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application decision of the acting superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block No. 2861, Lot No. 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter J. Hopkins.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(192-38-BZ)

WHEREAS, Power and Hopkins, for Walter W. Welton, owner, filed March 22, 1938, an application under the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor

MINUTES

vehicle repair shop; premises 1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block No. 2861, Lot No. 32), Borough of The Bronx; and

WHEREAS, this application was granted by the Board May 24, 1938, for a temporary period, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on May 24, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, to permit the building under appeal to be used for a period of two (2) years from the date of this amended resolution, as an automobile repair shop, on condition that the construction of the building shall comply with all the requirements for such use and that the repairing shall be limited to hand tools and to motor-driven tools not requiring a motor power greater than 1/2 h.p.; that no anvils or forges shall be used on the premises; that if an acetylene torch is used, a proper permit shall be obtained from the fire commissioner; that any paint-spraying carried on shall be subject to similar legal permit; that there shall be no sign erected on roof of building nor on the front of the building, except a neat sign over the entrance, advertising the repairing work; that the rear yard shall be left unoccupied and not used; that there shall be no excavation under the building; and that all permits shall be obtained and all work shall be completed within one year from the date of this action."

819-38-BZ.

APPLICANT—Charles McEvoy (lessee), for Charles Jacobs, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—75-01 Broadway, northeast corner of 75th street (Block No. 1486, Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Charles McEvoy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(819-38-BZ)

WHEREAS, Charles McEvoy (lessee), for Charles Jacobs, owner, filed September 24, 1938, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486, Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens; and

WHEREAS, this application was granted by the Board October 10, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on October 10, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"That all permits required and all work involved shall be completed within two (2) months from the date of this amended resolution."

877-38-BZ.

APPLICANT—Louis J. Gold, for Grandboro Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and reconsideration under alleged new facts—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (previously denied).

PREMISES AFFECTED—2327 Grand concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis J. Gold.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

McCarthy 4

1006-38-BZ.

APPLICANT—Lama and Proskauer, for Rosella I. Williams, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1688 Eastern boulevard, southwest corner of Soundview avenue (Block No. 3660, Lot Nos. 56 and 59), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(1006-38-BZ)

WHEREAS, Lama and Proskauer, for Rosella I. Williams, owner, filed November 9, 1938, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1688 Eastern boulevard, southwest corner of Soundview avenue (Block No. 3660, Lot Nos. 56 and 59), Borough of The Bronx; and

WHEREAS, this application was granted by the Board May 31, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on May 31, 1939, be and it hereby is *amended*, only so far as it has reference to gasoline pumps, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-c thereof, to permit the extension of the existing gasoline service station into the business use district so as to occupy a total area of approximately 108 feet in width by a depth of approximately 95 feet, on condition that the plot shall be levelled substantially to the grade of Eastern boulevard as widened and Soundview avenue; that the station shall be designed and arranged in accordance with working plans marked 'Received May 18, 1939'; that the accessory building shall be constructed of fireproof ma-

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terials, except that the door frames and doors, roof beams and roof boarding may be of wood, provided the windows throughout are of steel sash; that the roof shall be surfaced with natural slate; that the ceiling shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the heater room shall be constructed of fireproof material and separated from the balance of the building and enterable only from the exterior; that there shall be erected on the interior lot lines a brick wall agreeing in material and design with the accessory building, extending continuously from the accessory building to the street lines; that such wall shall be not less than six feet in height, except that it may be ramped down to a height of not less than 2 feet 6 inches within a distance of not over 10 feet from the street building line; that the planting shall be maintained along this wall and at the street line near the intersection of Eastern boulevard and Soundview avenue, as indicated on plans, and a concrete protective curb shall be constructed around the planted areas; that the plot, where not covered by accessory building wall and planted areas, shall be either paved with cement, colprovia or other suitable impervious material; that any gasoline pumps erected shall be not near than *fifteen feet* to either street building line; that such pumps shall be of the parkway design, as indicated on plans; that entrance to the premises shall be limited to two to Eastern boulevard with curb cuts not over 25 feet in width each; that two similar entrances may be constructed from Soundview avenue; that no portion of any curb cuts shall be nearer than 10 feet from the side lot line as extended; that advertising shall be restricted to permanent signs attached to the accessory building and to illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection of not over three post standards erected within the building line, for supporting signs, which may be illuminated, advertising solely the brand of gasoline on sale; that there shall be no excavation under the accessory building, except that the boiler room floor may be depressed, if required, for a depth of not over 3 feet; that no automobile repairing shall be carried on and there shall be no parking of cars other than those being serviced; that no portable gasoline pumps shall be used on or from the premises; that *revised plans marked 'received April 5, 1940', are hereby approved as in substantial compliance with this resolution as to design and arrangement and that all permits required and all work involved shall be completed within one (1) year from the date of this amended resolution.*

70-39-BZ.

APPLICANT—Murray Hill Parking Corporation (lessee), for Edith Kane Baker, Alexander C. Nagle and The First National Bank of the City of New York, executrix and executors of Estate of George F. Baker, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a restricted retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—13-19 East 38th street and 250-260 Madison avenue, northwest corner, and 18-20 East 39th street (Block No. 868, Lot Nos. 14, 15, 16, 59, 62 and 63), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone.

For Opposition: John P. Fox.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(70-39-BZ)

WHEREAS, Albert J. Courtney (Kim Parking Stations, Inc., lessee), for Frank Rysavy as Trust Officer of First National Bank, Edith Kane Baker, Alexander C. Nagle, Executrix and Executors of Estate of George F. Baker, owner, filed January 19, 1939, an application under sections 21 and 7h of the building zone resolution, to permit in a restricted retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 250-260 Madison avenue, 13-19 East 38th street, northwest corner, and 18-20 East 39th street, south side, 100 ft. west of Madison avenue (Block No. 868, Lot Nos. 14, 15, 16, 19, 59, 62 and 63), Borough of Manhattan; and

WHEREAS, this application was granted by the Board June 20, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on June 20, 1939, be and it hereby is *amended*, only so far as it has reference to the concrete platform bumpers, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, for a period of two (2) years from the date of this resolution, to permit the plot under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked; that the entire plot shall be graded generally to the level of the inside line of the sidewalk at the building lines; that there shall be erected on the street building lines, except for one 20 ft. wide entrance to East 39th street and one 20 ft. entrance to East 38th street, concrete curbs not less than 8 inches in height and one foot in width, on the centre of which shall be erected a substantial steel picket fence not less than 4 ft. 6 in. in height above such curb with substantial posts and bumpers at the entrances; that parallel to the fence alone Madison avenue, *there shall be constructed a concrete platform bumper with steel nosing of the same height, namely 8 in. as the curb hereinbefore required and with an additional width of 3 ft. 6 in. along the street line of Madison avenue; that along the street line of East 38th street and East 39th street a similar bumper shall be constructed 1 ft. in width; that along the interior lot lines there shall be a similar bumper constructed 18 in. in width; that the plot shall be surfaced with cracked bluestone or clean gravel not less than 1 in. in thickness, properly rolled and treated with a binder other than oil, which shall be either tar or asphaltum, to preclude dusting, and so graded as to provide surface drainage; that signs shall be restricted to one at each entrance, attached to an ornamental steel standard; that these signs shall not be illuminated and may be double-sided, reading 'Parking', but may not extend beyond the building line; that no building shall be erected, except a one-story office and shelter for the attendants and patrons; that this building shall not exceed 250 sq. ft. in area and shall be provided with toilet accommodations, unless such accommodations are available by agreement with the owner of No. 270 Madison avenue; that this building shall be constructed of fireproof or fire-retarded materials and shall be of attractive design; that an aisle not less than 15 ft. in width from East 39th street continuously to East 38th street shall be maintained at all times; that at least once a day the plot shall be cleaned of all refuse; that receptacles for papers and other refuse shall be provided; that all motor vehicles parked shall be capable of operation; that there shall be no use permitted on the plot other than transient parking herein permitted during the term of this variance; that there shall be attendants at all times during the time the parking lot is open; that such attendants shall wear distinctive uniforms; that there shall be no lights for general illumination, except that there may be two bracket lights attached to the front of the office building, not exceeding*

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200 watts each; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no certificate of occupancy shall be issued until all the work herein required is complied with and that at no time shall the sidewalks be used except for crossing at the entrances herein permitted; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution; that the plans marked 'Received June 17, 1939', are hereby approved as in substantial compliance with this resolution, except that the curbs shown shall be of the width required by this resolution."

AREA FIXED.

347-40-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Bowery Savings Bank and Peter C. Murtagh, trustee of estate of Elizabeth A. Murtagh, owners.

SUBJECT—Application for fixation of area, to permit in a business use district under sections 7g and 21 of the building zone resolution, the erection and maintenance of a business building and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Williams.

ACTION OF BOARD—Area fixed.

THE VOTE TO FIX AREA—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(347-40-BZ)

WHEREAS, the Board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit in a business use district the erection and maintenance of a business building and garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th to East 47th streets, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

Resolved, that the following area be and it hereby is fixed: "Both sides of East 46th street from a point 400 ft. east to a point 400 ft. west of the premises in question; both sides of East 47th street from a point 400 ft. east to a point 400 ft. west of the premises in question and, also, both sides of Lexington avenue from a point 400 ft. north to a point 400 ft. south of the premises in question."

APPEALS FROM ADMINISTRATIVE DECISIONS.

153-40-A.

APPLICANT—Florence O'Connor, owner (August Bentkamp, lessee).

SUBJECT—Appeal from decision—re an order of the fire commissioner.

PREMISES AFFECTED—30 Greenwich avenue, north side, 100 ft. west of West Tenth street (Block No. 606, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1101-39-A.

APPLICANT—Robert M. Byers, for Arnold W. Sherman, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings (previously withdrawn).

PREMISES AFFECTED—597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert M. Byers.

ACTION OF BOARD—Appeal reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1173-39-A.

APPLICANT—Addie Avent, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—234 New Dorp lane, west side, 20 ft. north of 10th street (Block No. 4211, Lot No. 35), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

32-40-A.

APPLICANT—Edward C. O. Thomas, for Ralph H. Beard (Guardian of Mary Beard, an infant), owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1211-1215 DeKalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward C. O. Thomas.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(32-40-A)

WHEREAS, Edward C. O. Thomas, for Ralph H. Beard (Guardian of Mary Beard, an infant), owner, filed January 6, 1940, an appeal from an order and a decision of the fire commissioner; premises 1211-1215 De Kalb avenue, north side, 151 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot Nos. 33 and 34), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 3306-LF, dated October 9, 1939, reads:

"1. Place sprinkler system in proper working order. C19-161.0 Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated December 5, 1939; and

WHEREAS, the building is 2½ stories (35 ft.) in height, 75 ft. by 215 ft. 5 in. in area; of Class 3 construction; equipped with a defective sprinkler system, located in a business use

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district, erected about 1880, and occupied since 1937 for the storage of egg cartons, egg crates and cans; and

WHEREAS, the applicant contends that the defects in the present sprinkler system are that the street connection has been cut off by the Water Department because of freezing; that the sprinkler branches throughout the building have been broken by the former tenant and that the sprinkler heads have been partly removed; that the system has become rusted and the damage can only be ascertained by a water test; that to comply with the order would necessitate an undue hardship upon the owner and involve an expense far out of proportion to any return which the building might earn; that the owner is willing to install additional fire protection, but cannot incur the large expense necessary to complete the sprinkler system; and

WHEREAS, the premises have been inspected by a committee of the Board.

Resolved, that the order of the fire commissioner be and it hereby is affirmed, and that the appeal be and it hereby is denied.

242-40-A.

APPLICANT—Benjamin W. Levitan, for Witt Holding Corporation, owner.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin W. Levitan and Robert Levis.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(242-40-A)

WHEREAS, Benjamin W. Levitan, for Witt Holding Corporation, owner, filed March 4, 1940, an appeal from an order and decisions of the fire commissioner; premises 617 West 113th street, north side, 250 ft. west of Broadway (Block No. 1895, Lot No. 47), Borough of Manhattan; and

WHEREAS, Order No. 4790-LF, issued by the fire commissioner, May 12, 1938, reads:

"1. Install an approved standpipe system arranged and equipped as per Art. 17, Chap. 26, Adm. Code."

and

WHEREAS, the subsequent decision of the fire commissioner, dated August 9, 1939, reads:

"Replying to your letter in reference to above order we have had a reinspection made and building measured with a steel tape by two of our inspectors, in your presence, on July 31, 1939, and three different measurements were taken due to the building being on an inclined street, and were found to be as follows:

89 ft. 11 in. at centre.

88 ft. 10 in. at east end.

93 ft. 6 in. at west end.

Our order therefore applies, and your request for rescindment must be denied as building is over 85 ft. in height. You may if you see fit appeal your case to the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the decision of the fire commissioner, dated February 15, 1940, reads:

"In reply to your letter in reference to Order No. 4790-LF requiring a standpipe system to be installed in the above premises, you are advised that the building exceeds 85 feet in height and your request to rescind the order must be denied."

and

WHEREAS, the building is eight stories (88 ft.) in height, 55 ft. by 84 ft. 6 in. in area; of Class 1 construction; located in a residence use B area district; erected in 1906 and occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that this is a borderline case, where the measurements taken by the inspector show an excess of approximately 3 ft. at the front, whereas, if measurements were taken at the actual low level of roof beams, such measurements might indicate a height of less than 85 ft. from actual curb center; that the Department of Water Supply, Gas and Electricity has certified that 61 pounds pressure is maintained at the curb level, in front of said premises; that in view of this ample water pressure for fire protection and the uncertainty as to the actual height of the building, and also in view of the fact that if the standpipe were required at the time of the erection of the building, it could have been installed; that the building is fireproof throughout.

Resolved, that the order of the fire commissioner, No. 4790-LF, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building in all other respects complies with the Multiple Dwelling Law, and all other laws, rules and regulations applicable thereto, and that in addition there shall be installed in the cellar, adjacent to the elevator, at least two sprinkler heads which may be fed from the domestic water supply of the building, such heads to be located not over 4 feet from the entrance to the elevator and not over 8 feet apart.

244-40-A.

APPLICANT—Paramount Pictures, Inc. (lessee), for Allied Owners, Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2085, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Fincke.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(244-40-A)

WHEREAS, Paramount Pictures, Inc. (lessee), for Allied Owners Corporation, owner, filed March 14, 1940, an appeal from a decision of the borough superintendent of buildings; premises 371-393 Flatbush avenue extension, northeast corner of DeKalb avenue (Block No. 2805, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on E.S. Applic. No. 201-40, dated March 16, 1940, reads:

"Proposed sign on Marquise, more than 8 ft. above roof of marquise is contrary to B26-7.0 g of the Administrative Code."

and

WHEREAS, the building is ten stories (120 ft.) in height, 202 ft. 6 in. by 197 ft. 2 in. in area; of Class 1 construction; located in an unrestricted use district; erected in 1928; equipped with a sprinkler system; the theatre section, which is the section of the building in question, is occupied as follows: cellar, theatre utilities; first floor, 1,983 persons; second floor, balcony, 411 persons; third floor, balcony, 1,730 persons; for which certificate of occupancy was issued October, 1929; and

WHEREAS, the applicant contends that the sign in question has existed since 1932 over a marquee at the entrance to the theatre on the east side of Flatbush avenue extension; that E.S. Applic. No. 201-40 was filed for the purpose of securing a permit for said sign; that Violation No. 311-40 has

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been issued for erecting said sign without a permit; that the theatre is located in an unrestricted use district; that there are numerous electric signs in this area; that the sign is very essential to the operation of the theatre and applicant would sustain an unnecessary hardship and substantial loss if compelled to remove same.

Resolved, that the decision of the borough superintendent of buildings, on Sign Applic. No. 201-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the continuance of the existing sign above the roof of the marquee, *on condition* that the sign shall meet the structural requirements of the building code therefor and that within two (2) years, a sign meeting the requirements of the code will be constructed to replace the existing sign.

313-40-A.

APPLICANT—Arthur C. Mandel, for Brooklyn Edison Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur C. Mandel.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(313-40-A)

WHEREAS, Arthur C. Mandel, for Brooklyn Edison Company, owner, filed March 25, 1940, an appeal from a decision of the borough superintendent of buildings; premises 172-236 First street, south side, entire block from Third to Fourth avenues (Block No. 968, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 281-40, dated March 26, 1940, reads:

"FP.—1. Proposal to install two (2) gasoline tanks of a capacity of 2,500 gallons with four approved type gasoline pumps is contrary to C19-59.0 and C19-69.0 of the Administrative Code."

and

WHEREAS, the premises consist of a plot 655 ft. 9 in. by 450 ft. in area; located in an unrestricted use district; it is proposed to erect a garage, which was the subject of a variation of the provisions of the building code under Cal. No. 96-40-A, and to install two 2,500 gallon gasoline tanks, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that this appeal is based on the fact that there is less hazard in the simplified piping of two tanks, each of 2,500 gallons capacity, than in the piping necessary with the use of ten tanks of 550 gallons each, to permit a capacity of approximately 5,000 gallons storage necessary for the efficient operation of this plant; and

WHEREAS, inspection made by a committee of the Board showed that the only building actually used as a school is the building at the corner of Whitwell place and Carroll street; that the school playground is on First street, between Whitwell place and Denton place, but that the playground has no entrance on any one of these three streets intended for children; that there is a gate on Denton place for utility purposes and this gate appears to be kept padlocked; that the children enter the playground from the school, through a passageway between the buildings, one of which is a convent and the other a community house; that there is no school within the intent of section 21 of the zone resolution on the same block as the proposed garage and gasoline service equipment nor any entrance to any school within 200 ft. thereof.

Resolved, that the decision of the borough superintendent of buildings, on Misc. Applic. No. 281-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the installation of two (2) gasoline tanks, each with a capacity of 2,500 gallons, as proposed, and four (4) approved gasoline dispensing pumps, *on condition* that the tanks shall comply with the requirements of the Administrative Code therefor, except as to capacity, and that the construction of the tanks shall meet the requirements of the Oil Burner Rules of the Board of Standards and Appeals as to thickness of steel, and that this equipment shall be used solely for servicing the trucks belonging to the Brooklyn Edison Company or its successors.

912-38-A.

APPLICANT—A. C. Lefante, for Richardson Rag and Paper Stock Company, owner.

SUBJECT—Application for consideration—reopening and rescindment of resolution of January 10, 1939—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—407-411 Oakland street, west side, 25 ft. north of Clay street (Block No. 2483, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Josephine Lefante.

ACTION OF BOARD—Resolution rescinded.

THE VOTE TO RESCIND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(912-38-A)

WHEREAS, Ansonia Fire Prevention Engineering Company, Inc., for Richardson Rag and Paper Stock Company, owner, filed October 21, 1938, an appeal from a decision of the acting borough superintendent; premises 407-411 Oakland street, west side, 25 ft. north of Clay street (Block No. 2483, Lot No. 37), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Applic. No. 13907-38, dated November 25, 1938, reads:

"FP-1—Original permit 9091 of 1937 calls for separate application to be filed for Sprinkler System—as required under Art. 26-C-19-149.0 Sec. C line 4 of the Administrative Code and Office Interpretation No. 14.

NOTES—Art. 26-C-19-149.0 Sec. C line 4 reads—No permit shall be issued for storage of combustible fibre (JUNK) in any bldg. or premises which is not equipped with a fire extinguishing system approved by the Commissioner.

Office Interpretation No. 14 reads: Sprinkler system to be required in rag shops irrespective of the number of TONS to be stored on premises."

and

WHEREAS, the building is two stories (23 ft.) in height, 75 ft. by 100 ft. in area; of non-fireproof construction; located in an unrestricted use district; occupied: first floor, storage and baling of paper and rags, 6 persons; second floor, storing and storage of baled paper and rags, 9 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the building is occupied by one tenant for the machine baling of waste paper and rags; that the amount of unbaled material in these premises is exceedingly small being approximately 1½ tons as compared to approximately 250 bales of baled material on each of the first and second floors; that a total of 3 tons of unbaled material in the entire building hardly constitutes a hazard; that the building is but 23 ft. in height, is unheated, has no cellar and is equipped with two interior stairways which extend to the roof; that within easy reach of the building is a city fire alarm box and numerous fire hydrants; that it is proposed to provide a sufficient number of fire pails throughout the building; and

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WHEREAS, this appeal was granted by the Board January 10, 1939, on certain conditions, and applicant requested a rescindment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *rescind* its resolution adopted January 10, 1939, in view of the statement by the fire department that the order will be rescinded because of the building being not over two (2) stories in height.

VARIATION OF THE LABOR LAW.

318-40-S.

APPLICANT—W. Schier, for Charmouth Realty Corporation, owner.

SUBJECT—Variation of the Labor Law as cited in an order and decisions of the fire commissioner.

PREMISES AFFECTED—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: W. Schier.

For Administration: Thomas A. Larkin, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(318-40-S)

WHEREAS, W. Schier, for Charmouth Realty Corporation, owner, filed March 27, 1940, an application for a variation of the labor law, as cited in an order of the fire commissioner; premises 42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens; and

WHEREAS, Order No. 1718-LF, issued by the fire commissioner November 16, 1938, reads:

"1. Remove all partitions not built of non-combustible material on 1st, 2nd and 3rd floors, as per Sections 263 & 270 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated January 22, 1940, and a subsequent decision, dated March 25, 1940; and

WHEREAS, the building is five stories (60 ft.) in height, 80 ft. by 140 ft., irregular in area; of fireproof construction; located in an unrestricted use district; erected in 1927 and occupied: cellar, boiler room and storage; first floor, manufacturing composition heels and smoking pipes, 20 persons; second floor, same, 30 persons; third floor, manufacturing of furniture and metal rods, 20 persons; fourth floor, manufacturing of novelties, woodwork, and vacuum cleaner repairs, 10 persons; fifth floor, manufacture of screens, 5 persons. The building is equipped with a sprinkler system, standpipe system, interior fire alarm system, and three interior stairs of fireproof construction equipped with fireproof doors; and

WHEREAS, the applicant contends that the partitions involved are only about 5 percent of the total wall area and have been in use 12 years; that the partitions on the third floor of the main building are made of ½ in. sheet rock, on both sides of wood studs and enclose the office and show-room; on the third floor of the east building the partitions are ¼ in. 3 ply plywood, on wood studs and enclose show-room; that on the second floor, main building, the partitions are ½ in. fibre board on wood studs, enclosing office; that on the first floor, main building, ½ in. fibre board on wood studs, enclosing mixing room, where materials are mixed for composition heels and pipes; that the building is fireproof, faces on two streets and is well protected by a supervised two-source sprinkler system; that the openings facing the adjoining exposures are protected with wire glass; that

there are three fire-resistive stair enclosures, and that the occupancy is not hazardous as evidenced by the low fire insurance premium rate.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the order of the fire commissioner, No. 1718-LF, on condition that the existing wood partitions, other than the partitions surrounding the storage and mixing room on the first floor, may be continued, provided they are replaced with legally constructed partitions within two (2) years; that the partition on the first floor, enclosing the mixing room shall be removed and replaced with a partition constructed of incombustible material; that any doors thereto shall be fireproof, self-closing; that the room in which the heater and oil burner is installed shall be separated from this room and not entered from the mixing room; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCES SUBMITTED FOR APPROVAL.

46-34-SA.

APPLICANT—Louis G. Imperato, for May Oil Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Approval of May Oil Burner and Quiet May Oil Burner, additional Models "N" and "O".

APPEARANCES—

For Applicant: Irving Karess.

ACTION OF BOARD—Application reopened and referred to Engineer of Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

555-38-SA.

APPLICANT—The Vapor Recovery Systems Company, owner.

SUBJECT—Varec Flame Arrestors and Vent Valves, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliances approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(555-38-SA)

WHEREAS, Frank V. Long, President of the Vapor Recovery Systems Company, owner, filed an application with the Board of Standards and Appeals for approval of the appliances known as the Varec Flame Arrestors and Vent Valves; and

WHEREAS, these appliances were submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 555-38-SA.

Approval of Varec Flame Arrestors and Vent Valves.

Frank V. Long, President of the Vapor Recovery Systems Company, owner, filed June 29, 1938, an application with the Board of Standards and Appeals for approval of the Varec Flame Arrestors and Vent Valves under the provisions of C19.73.0 of the Administrative Code.

The arrestor consists of a tank of three corrugated aluminum plates compressed together in an arrestor tank

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which can be withdrawn from the vent valve for inspection. The arrestor with vent valve above is for outdoor use mounted in an upright position in a vertical vent pipe.

The design and material of the 2, 3, 4 and 6 inch sizes of the flame arrestor consist of a housing of two cast aluminum end sections provided with flanges for standard iron pipe. Three cast alloy steel housing plates are secured between these sections of 5/8 inch cap screws forming a rectangular recess for the arrestor tank. A fourth plate or cover is fastened by bronze handle screws. The arrestor tank is made of 242 rectangular crimped aluminum plate having rows of spacing projections. The plates are supported vertically on a frame the side of which are made of telescoping angles which permit extension of the frame to separate plates for inspection. Bolting the inspection plate in place compresses the frame and the arrestor plates so as to hold them securely in their proper position and spacing.

The vent valve consists of a welded sheet aluminum housing with standard pipe flange with studs at bottom for mounting flame arrestor. Inside the housing are two gravity poppet valves or pallets of cast aluminum of such design and so weighted that they will be lifted by a pressure of approximately 1/2 oz. per sq. inch. The lower pressure valve is arranged so a pressure on the inside of the tank will be released into an inner chamber in the housing from which the vapors escape to the atmosphere through a coarse screened outlet. The upper or vacuum valve is so arranged that a vacuum on the tank will lift the valve and allow air which enters the inner chamber through the screened outlet to pass around the outer housing into the tank.

The valves are accessible by means of an inspection cover in the top of the housing.

Sizes	Dimensions in Inches			
Arrestor Size	2 In.	3 In.	4 In.	6 In.
No. of Arrestor Tank Plates	85	110	170	242
Thickness of Arrestor Tank Plates	.013	.013	.013	.013
Length of Arrestor Tank Plates	5-3/4	8	10-3/4	12-7/8
Spacing of Arrestor Tank Plates	.047	.047	.036	.036
Depth of Arrestor Tank Plates	4-13/16	6-9/16	9-5/16	11-7/16

The conservation vent valve and flame arrestor have been tested and approved by the Underwriters Laboratories Misc. Pet. No. 644, Application No. 31C, 3326, November 31, 1932 by the Factory Mutual Laboratories Laboratory Report No. 10263, Sept. 29, 1936 and evidence has been submitted of the safety afforded by these valves and flame arrestors in actual fires.

On the basis of these tests and the inspection by the committee on tests of the Board of Standards and Appeals, it is recommended that the Varec Flame Arrestor and Conservation and Pressure Vacuum Relief Vent Valve be approved for *voluntary* outdoor use with fuel oil and gasoline installation and sewerage disposal plants on condition that the apparatus be constructed as specified in this report and in accordance with plans filed and that the appliance bear a label permanently affixed reading:

"Approved by the Board of Standards and Appeals for voluntary installation and use in New York City under Cal. No. 555-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and WHEREAS, this report recommended the approval of these appliances for voluntary installations.

Resolved, that the Board of Standards and Appeals does

hereby *approve* the appliances known as the Varec Flame Arrestors and Vent Valves, *on condition* that the appliances be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

575-39-SA.

APPLICANT—Morro and Company, for Electrol, Incorporated, owner.

SUBJECT—Application for reopening—re amendment to resolution—Electrol Industrial and Range Oil Burner, Model LF.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(575-39-SA)

WHEREAS, Morro and Company, for Electrol Incorporated, owner, filed May 5, 1939, an application with the Board of Standards and Appeals for approval of the appliance, known as the Electrol Industrial and Range Oil Burner, Model LF; and

WHEREAS, this appliance was approved by vote of the Board, in accordance with the report of the committee on tests June 13, 1939; and

WHEREAS, the applicant requested a reopening of the application and amendment of the resolution; and

WHEREAS, the committee on tests have amended their report, which amended report reads as follows:

REPORT OF THE COMMITTEE ON TESTS

Cal. No. 575-39-SA.

Approval of Electrol Industrial and Range Oil Burner, Model LF.

Morro and Company, for Electrol, Incorporated, owner, filed May 5, 1939, an application with the Board of Standards and Appeals for approval of the Electrol Industrial and Range Oil Burner, Model LF, under the provision of C26-191.0 (2.2.3) Administrative Building Code and the Oil Burner Rules of the Board of Standards and Appeals.

The burner consists of an air oil atomizing nozzle manually controlled by air cocks for use in cooking ranges and industrial operations. The oil is delivered from a 275 gallon tank through a Teesdale pump and a constant level valve to the burner. Air is supplied by a paddle blade compressor maximum 30 lbs. pressure. The level of the oil maintained by the constant level valve is always below the nozzle so that the oil cannot run by gravity from the nozzle but must be lifted by aspirating effect of the air in order to be sprayed from the nozzle. The burner can be manually lighted or lighted from a gas pilot.

Inspection and test of this burner was made at 279 Lenox Avenue, New York City, and the burner which was installed in a cooking range and operated with a clear flame without carbon deposits or flare backs. Present at the test were Commissioner Blum, Chief Engineer Huber of the Board and J. J. Morro representing the owners.

It is recommended that the Electrol Industrial and Range Oil Burner, Model LF, be approved for use in New York City in industrial installations and in cooking ranges with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner rules of the Board of Standards and Appeals and with the above report, on condition that when installed in ranges the following additional requirements shall be complied with:

1. The operator shall have a certificate of fitness.

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2. That no connection shall be made through any movable section of the range or stove in which this device is installed.

3. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

6. Floor beneath oil burner device shall be protected by a shield of at least ½ inch asbestos or other equivalent material, this shield to extend at least 12 inches beyond the outline of the stove or range in which the device is installed.

7. The air supply to the burner nozzle shall be delivered by the air compressor unit directly to the nozzle. No auxiliary tank or storage cylinder shall be permitted except when a solenoid operated magnetic valve is provided so arranged as to shut down the air supply completely when electrical energy is cut off. Such valve to be of a type suitable for the maximum air pressure developed by the compressor or permitted by the pressure reducing valve and to be placed in the air supply line to the burner nozzle and to be electrically connected to a remote control switch. This remote control switch when operated shall cut off all electrical supply to all parts of burner pumps and air compressors. No air pressure in excess of 50 lbs. shall be permitted to enter the burner nozzle.

8. The manufacturer or installer of this burner shall within 48 hours after each installation, notify the fire department in writing of the name of the person to whom this burner was sold and the address of the premises where installed.

9. That the appliance shall bear a label permanently attached thereto, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 575-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 13, 1939, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Electrol Industrial and Range Oil Burner, Model LF, *on condition* that the appliance be manufactured, installed, operated and labelled in accordance with the above amended report."

130-40-SA.

APPLICANT—Neptune Meter Company, owner.

SUBJECT—Neptune Red Seal Computer and Non-Computer Gasoline Dispensing Pump, Model 855, with or without hose reel, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0 and

THE RESOLUTION—

(130-40-SA)

WHEREAS, the Neptune Meter Company, owner, filed February 2, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Neptune Red Seal Computer and Non-Computer Gasoline Dispensing Pump, Model 855, with or without hose reel; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 130-40-SA.

Subject: Approval of Neptune Red Seal Computer and Non-Computer Gasoline Dispensing Pump, Model 855, with or without Hose Reel.

The Neptune Meter Company, owner, filed February 2, 1940, an application with the Board of Standards and Appeals for approval of the Neptune Red Seal Computer and Non-Computer Gasoline Dispensing Pump, Model 855, with or without hose reel, under the provisions of C19-69.0.

The Neptune Red Seal Gasoline Dispensing Pump is of a type for use in service stations or garages. The device is electrically operated. The pump used is of the rotary type gear principle. The liquid is drawn through said pump and then is passed through an air eliminator of such design that elimination of air in the gasoline is assured. The liquid is then passed through the Neptune Red Seal Meter whereby the oscillation of the meter piston measures the liquid and is then passed through a visi-flow indicator and then to the dispensing nozzle. There are in the line before the meter two strainers of such mesh as to prevent any scale or dirt from being dispensed.

The register used in the above unit is of the computing or non-computing type as is manufactured by the Veeder Root Manufacturing Company.

All switches, etc. are mounted in explosion proof junction boxes. The light sockets are of a type similar to the Circle F and are located at the top of the pump. They are unenclosed.

The motor is 1/3 horsepower of the explosion-proof type, sleeve bearing for intermittent duty with a temperature rise of from 55 to 60 degrees centigrade.

The materials used on the above pump are so selected that where necessary non-corrosive materials are used. The entire mechanism is coated with a durable lasting finish.

When provided with hose reel pulling out of the hose shows a switch and stack motor and pump. The releasing pull on hose cuts oil switch and stops the pump, and pulls hose back on reel.

Inspection and test of this appliance was made at 2443 Third avenue in the presence of representatives of the owner and of the Board of Standards and Appeals and the appliance was found to operate satisfactorily.

The appliance has been approved by the Underwriters Laboratories Guide No. 60003.4, File MH 1516.

On the basis of this inspection and test it is recommended that the Neptune Red Seal Computer and Non-Computer Gasoline Pump, Model 855, with or without hose reel, be approved for use in New York City on condition that the pump have a label permanently affixed reading:

"Approved for use in New York City under Cal. No. 130-40-SA."

(Sgd.) BERARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

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WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Neptune Red Seal Computer and Non-Computer Gasoline Dispensing Pump, Model 855, with or without hose reel, *on condition* that the appliance be manufactured, installed, operated and labeled, stamped or tagged in accordance with above report.

214-40-SA.

APPLICANT—Acme Fire Alarm Company, Inc., owner.
SUBJECT—Acme Type 11 VA, Non-Code Closed Circuit Interior Fire Alarm System, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(214-40-SA)

WHEREAS, the Acme Fire Alarm Company, Inc., owner, filed February 28, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Acme Type 11 VA, Non-Code Closed Circuit Interior Fire Alarm System; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 214-40-SA.

Subject: Approval of Acme Type 11 VA Non-Code Closed Circuit Interior Fire Alarm System.

The Acme Fire Alarm Company, Inc., owner, filed February 28, 1940, an application with the Board of Standards and Appeals for approval of the Acme Type 11-VA Non-Code Closed Circuit Interior Fire Alarm System, in accordance with sec. 279, Labor Law, Rule 5.1 of the Interior Fire Alarm Rules of the Board of Standards and Appeals, and Chapter 19, Sec. 487e 2.0.C.1 Adm. Code.

This system is of the closed circuit, electrically supervised type having a trouble bell which indicates disarrangement of any circuit.

The control panel is enclosed in a No. 14 gauge metal red lacquered cabinet having a millimeter sight glass and combination snap cabinet lock. This panel is of ebony asebostos $\frac{1}{2}$ in. thick upon which is mounted the necessary gong and trouble relay, thermal cut-out, resistance balancing unit, millimeter and circuit wiring terminals. All of the devices used have been approved on similar equipments submitted to the Board of Standards and Appeals Cal. No. 697-28-SA.

The gongs are of polarized or single stroke type designed to operate in series on A.C. or D.C. current and were approved by the Board of Standards and Appeals Cal. No. 248-35-SA, and 697-28-SA.

The trouble bell is a cow shell type and was approved by the Board of Standards and Appeals Cal. No. 248-35-SA.

The single stroke gong catalogue designation is F.A. and the Polarized gong designation is P.

The stations are of the break glass non-code type, open or closed circuit, mounted on a cast iron back box provided with conduit openings top and bottom.

All wiring and devices are under constant electrical supervision.

The operation of the system is as follows:

Upon the breaking of the glass of any station, the mechanism is released, opening or closing its contacts. This interruption of current in the circuit causes an increase of current on the gong circuits, causing them to operate. The polarized bells being connected in series

continue to operate until the time limit device functions. This device can be set to operate between 3 and 30 minutes. If single stroke bells are used a current interruption device is energized on the breaking of the glass and causes the gongs to strike single stroke at a timing of .7 of a second. These bells are also protected by a time limit device. Upon the time limit device operating or any defect occurring in the system the trouble bell will ring and can only be silenced by the restoration of the system or the removal of its fuse.

This system was inspected and tested in the presence of the representatives of the Board and of the fire department at 36 West 15th street, on April 4, 1940, and found to operate satisfactorily.

On the basis of the test it is recommended that the Acme Type 11 VA non-code closed circuit Interior Fire Alarm System be approved for use in New York City as complying with the provisions of the labor law and rules of the Board of Standards and Appeals, on condition that the appliance bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 214-40-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Acme Type 11 VA, Non-Code Closed Circuit Interior Fire Alarm System, *on condition* that the appliance be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

709-39-SM.

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application for consideration, reopening and amendment of resolution, to permit products also to be marketed under the name of Newark Plaster Company (Kelley Plasterboard Company).

APPEARANCES—

For Applicant: M. G. Quayle and H. Z. Jones.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(709-39-SM)

WHEREAS, The National Gypsum Company, owner, filed May 29, 1939, an application with the Board of Standards and Appeals for approval of the material known as Gold Bond, Rockwall, and Gypsolite Brands of Gypsum Wallboard; and

WHEREAS, this material was approved by vote of the Board, in accordance with report of the committee on tests, January 23, 1940; and

WHEREAS, the applicant requested a reopening of the application and amendment of the resolution so as to also permit the marketing of the products under the name of Newark Plaster Company (Kelley Plasterboard Company).

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 23, 1940, so that as amended, it shall read:

"*Resolved*, that the Board of Standards and Appeals does

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hereby approve the material known as Gold Bond, Rockwall and Gypsolite Brands of Gypsum Wallboards and Plaster Bases, and does hereby permit the marketing of these products for a period of eight (8) months under the names of Kelley-Gypsum Lath and Kelley-Gypsum Wallboard, on condition that the material be manufactured, used and labeled, stamped or tagged in accordance with the report of the committee on tests, dated January 17, 1940."

274-40-SM.

APPLICANT—George E. Strehan, for City Fireproof Door Company, Inc., owner.

SUBJECT—City 3-Hour Hollow Metal Fire Door, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(274-40-SM)

WHEREAS, George E. Strehan, Consulting Engineer, for the City Fireproof Door Company, Inc., owner, filed March 13, 1940, an application with the Board of Standards and Appeals for the approval of the material known as the City 3-Hour Hollow Metal Fire Door; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 274-40-SM.

Subject: City Hollow Metal 3-Hour Fire Door.

George E. Strehan, Consulting Engineer for The City Fireproof Door Company, Inc., 820 Whittier street, Borough of The Bronx, New York City, owner, filed March 13, 1940, an application with the Board of Standards and Appeals for the approval of the City 3-Hour Hollow Metal Fire Door under the provisions of C26-660.0 (10.8.1), C26-661.0 (10.8.2) C26-663.0 (10.8.4.2) and C26-662.0 (10.8.3) Administrative Building Code and for 1 hour rating in a fireproof door under the Multiple Dwelling Law.

Approval is requested of door and buck constructions of details as follows:

The Door fig. 1 is made up of 18 U. S. gauge sheet forming one side and two edges with returns to engage 18 U. S. gauge steel stiles and rails forming the paneled side. Stiles and rails are provided with returns to engage the 20 U. S. gauge steel channel key members and rolled panel moulding. Key members run the full length of stiles and rails.

Panels consist of 2 sheets of 18 U. S. gauge steel, one sheet forming the flush side and the two edges of the door, the other sheet forming panel on moulded side of door. The two 18 U. S. gauge steel sheets are separated by a $\frac{3}{8}$ in. sheet of asbestos mill board with a $\frac{1}{32}$ in. air space and additional sheet of $\frac{1}{8}$ in. asbestos mill board making overall panel thickness of approximately $\frac{5}{8}$ in. The doors may be constructed of one or more panels. Panel moulding are of varying profiles to suit architectural requirements, but basic dimensions shall remain the same.

In the case of the $1\frac{3}{4}$ in. door, (fig. 2) the panels are formed of 1 sheet of $\frac{3}{8}$ in. asbestos mill board and one sheet of $\frac{1}{8}$ in. asbestos mill board with a $\frac{1}{32}$ in. air space, between the exterior sheets of 18 U. S. gauge steel producing a panel thickness of approximately $\frac{5}{8}$ in. The panels in all cases are set into separately rolled panel moulding of 20 U. S. gauge steel which are assembled to the panel and fusion welded at the corners before assembly of the door. These panels with mouldings attached thereto are then inserted into the stiles,

rails and Z (Zee) retainers. Panel assemblies fastened to each face by means of a No. 6 Parker screw, 5 to each stile and 2 in each cross rail on both faces and with heads of Parker screws then electrically are welded to face of door.

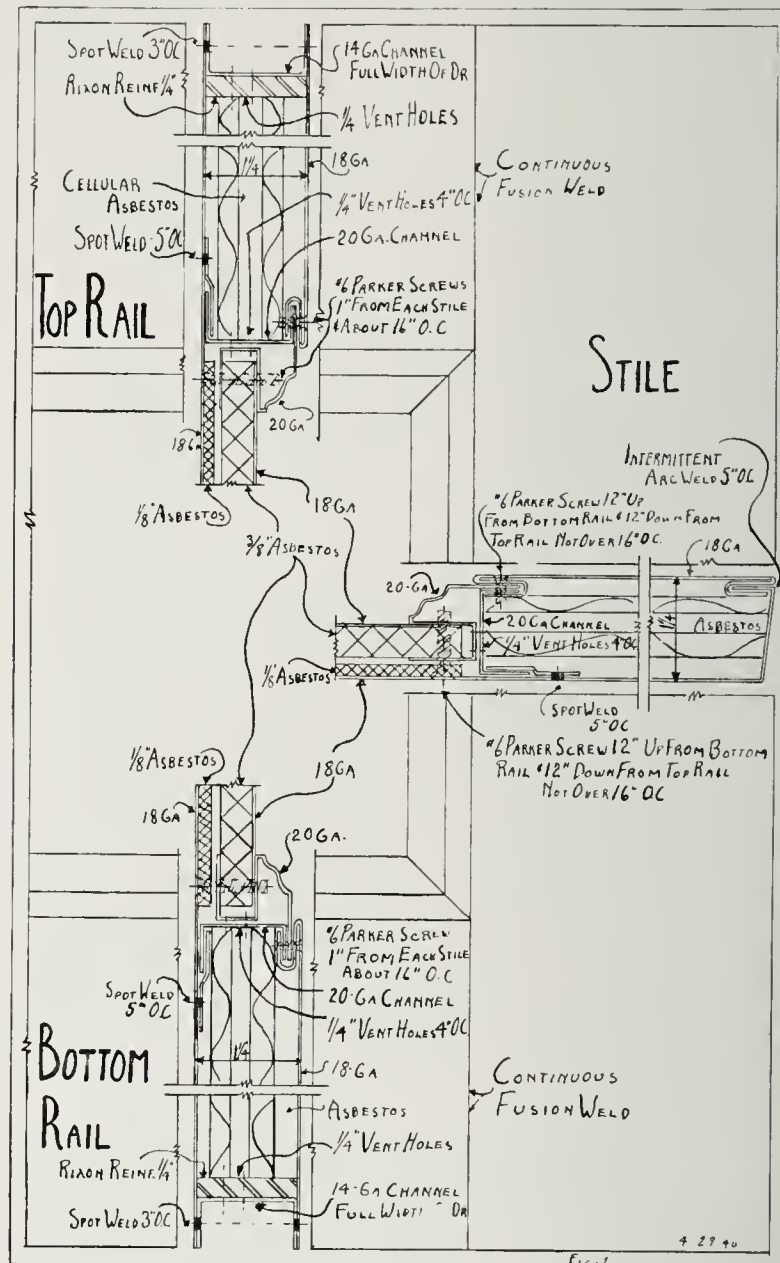


FIGURE 1

The Panel insulation is of asbestos of thickness as described above. In all stiles and rails cellular asbestos is inserted to fit the contours of stiles and rail.

Hardware-Cutouts are provided for hinges and locks, this being done at factory to templates. Reinforcement plates $\frac{3}{16}$ in. thick properly drilled and tapped are welded in place at hinge cutouts. Reinforcement plates of 12 gauge of suitable size welded in place at lock cutouts. At lock point there is a 26 gauge box to permit installation of Corbin Hand Latch. There is $\frac{1}{8}$ in. asbestos insulation between box and face of door. Lock reinforcements are provided with necessary holes drilled and tapped for securing lock in place. In case of doors having hangers they are to be provided with $\frac{3}{8}$ in. thick reinforcement bar running full width of door, spot welded to channel of top rail, drilled and tapped to suit hanger bolts. In case of doors having Rixon hinge they are provided with $\frac{3}{8}$ in. thick reinforcement bar running full length of door welded to channel of top and bottom rail, drilled and tapped to suit Rixon hinge bolts. When intermediate stud is used with Rixon hinge installation $\frac{3}{16}$ in. reinforcement is provided to receive same.

Frames—3-hour doors are hung with 14 U. S. gauge steel combination buck, trim and $\frac{5}{8}$ in. stop. $\frac{3}{4}$ —

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1, 1½ hour doors hung with 16 U. S. gauge steel combination buck, trim and ⅝ in. stop. Combination steel bucks complete with hardware reinforcement for hinges and lockset, welded to jamb portion. All reinforcement plates for hinges less than 3/16 in. and for lockset not less than 10 gauge. Three steel anchors on hinge and lock side respectively. A cabinet jamb arrangement or buck with applied trim all of similar construction to above may be substituted for a frame with integral trim where required. Jamb opening size 3-0 3/16 in. x 6-10 ⅜ in. Door size 3-0 in. x 6-10 ⅜ in.

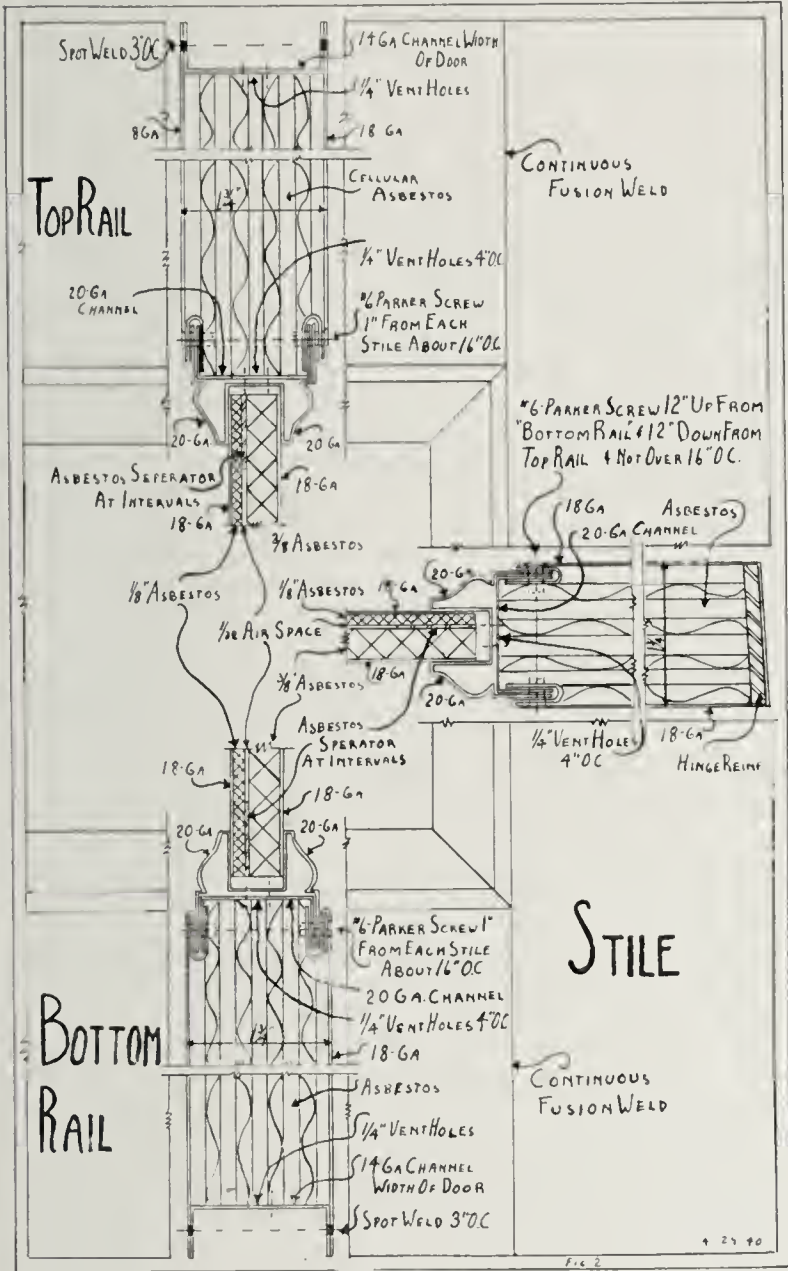


FIGURE 2

TEST SAMPLES.

The test sample was a full size door assembly 3 ft. 0 in. by 6 ft. 10 ⅝ in. high by 1 ¼ in. thick mounted on a 16 gauge pressed steel buck with clearance of ⅛ inch at lock stile at top, 1/16 inch at hinge stile at top, and no clearance at center of top, bottom clearance 5/16 inch above checkered plate saddle; the door was equipped with Rixon spring hinge at bottom, a plain steel pivot at top and an intermediate lug attached to edge of door at midpoint engaging a slot in the jamb of the frame on the hinge side.

This opening protective assembly was tested at the Protexol Laboratory at Kenilworth, New Jersey, under the supervision of Rollin C. Bastress, the report number Test No. 91, dated March 23, 1940, giving complete description of the test furnace temperature, observations and hose stream test. The record of furnace temperatures show that temperatures remained within the 5 per cent allowable variation, the average temperature of the

unexposed surface of the door at the end of 45 minutes was 607 degrees F. with an initial temperature in the vestibule of 45 degrees F. making a total rise during the 45 minutes interval of 562 degrees F. The record of the photo-electric cell measuring the density of smoke indicated a negligible amount of smoke as reflected by the decreased visibility. The vestibule temperature at the end of 45 minutes reached 104 degrees and at the end of 3 hours 291 degrees and the comparable average temperature of the unexposed surface was 780 degrees F. Throughout the entire 3 hours there was no flame and little smoke emanating from the test assembly.

On the basis of the test meeting the requirements of C26-610.0 (10.1.18) Administrative Building Code, the committee recommends the approval of the City Hollow Metal Fire Door, as made by the applicant at their plant located in the Bronx, New York, as having met the requirements for a rating of 3 hours, for use as a protective opening in fire walls, under C26-660 (10.8.1) Administrative Building Code and as a protective opening in fire partitions (1½ hours), under C26-661.0 (10.8.2) and as a protective opening in fireproof partitions (¾ hour) under C26-662.0 (10.8.3), when constructed and hung strictly in accordance with the specifications set forth herein and as shown in Figure 1 or the similar and heavier construction as shown in Figure 2, when used in single openings.

On the basis of the construction as given in Figure 1, the committee recommends the approval of the construction as shown in Figure 2 of a panel door which shall be provided with one and one-half pairs of 5 in. by 4½ in. mortised steel butts. The insulation in the panels of the door shall be separated by 1/32 in. air space between the two thicknesses of asbestos similar to the test sample. This recommendation is limited to use of doors in single openings and when hung as swinging doors.

The Committee also recommends the approval of such doors for use under the Multiple Dwelling Law, which provides for a rating of one hour when used in fireproof partitions. All opening protective assemblies manufactured under this approval shall be marked and inspected as provided for in the Opening Protective Assembly Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the City 3-Hour Hollow Metal Fire Door, on condition that the material be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

GENERAL RESOLUTION.

1464-39-GR.

SUBJECT—Amendment of General Resolution—re Approval of Inspection Agencies under Rules adopted by the Board under Cal. No. 1139-39-GR.

ACTION OF BOARD—General resolution reopened and amended.

THE VOTE TO REOPEN AND AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

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THE RESOLUTION—

(1464-39-GR)

WHEREAS, applications have been filed with the Board of Standards and Appeals for consideration of the applicant as approved inspection agencies, relative to Opening Protective Assemblies; and

WHEREAS, these applications were referred to the committee on tests for report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 18, 1939.

General Resolution—

Approval of Inspection Agencies

Cal. No. 1464-39-GR

Applications have been made to the Board of Standards and Appeals under the provisions of the Rules for the Inspection of Opening Protective Assemblies for consideration as approved Inspection agencies.

Applications with qualifications have been received, as follows:

Frank H. Alcott, Prof. Engineer No. 6579—

420 Lexington Avenue, New York City

Edwin H. Kleinert, Prof. Engineer No. 11454—

8029 Shore Road, Brooklyn, N. Y.

Pittsburgh Testing Laboratory—

157 Chambers Street, New York City

Protexol Testing Laboratory—

Kenilworth, N. J.

George E. Strehan, Prof. Engineer No. 3620,

Reg. Architect No. 3385—

33 West 42nd Street, New York City

Underwriters Laboratories, Inc.—

161 Sixth Avenue, New York City.

The committee on tests have reviewed these applications and recommend that the applicants as listed herein be approved as inspection agencies under the provisions of the rules of the Board of Standards and Appeals on Inspection of Opening Protective Assemblies, Cal. No. 1139-39-SR, and that such approval shall remain in force until rescinded by the Board.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, further application was made for an additional applicant; and

WHEREAS, the report of the committee on tests as to approval of this applicant reads:

REPORT OF COMMITTEE ON TESTS.

April 9, 1940.

Re: Cal. No. 1464-39-GR.

Subject: Opening Protective Assembly Inspection Agencies. Addition of the inspection agency L. L. Graham.

L. L. Graham filed on March 18, 1940, a request for consideration as an approved inspection agency under the Rules for the inspection of opening protective assemblies. The Committee reviewed his qualifications and experience and on the basis of such data recommends that L. L. Graham, Prof. Engineer, No. 4212

355 Fairmount Avenue,

Jamestown, N. Y.

be approved as an inspection agency under the provisions of the Rules of the Board of Standards and Appeals on Inspection of Opening Protective Assemblies Cal. No. 1139-39-SR and that such approval shall remain in force until rescinded by the Board, and that all inspections shall be made personally by L. L. Graham.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of December 18, 1939, so that as amended, it shall read:

Resolved, that the Board of Standards and Appeals does hereby *approve* the inspection agencies set forth in the reports of the committee on tests under the conditions so set forth."

Adjourned, 3:50 P.M.

JOSEPH J. DOYE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, June 7, 1939, as they appeared in Bulletin No. 24, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(6-27-BZ)

WHEREAS, this application affecting premises 211-225 West 61st street, north side, 400 ft. east of West End avenue (Block No. 1153, Lot Nos. 17 to 24, inclusive), Borough of Manhattan, was granted by the Board, March 8, 1927, on certain conditions, resolution amended June 28, 1927, and June 1, 1938, and owner requests a further amendment.

Resolved that the Board of Standards and Appeals does hereby *rescind* its action of February 21, 1939, reopening this application subject to usual procedure and does hereby *amend* the resolution adopted by the board on June 28, 1927 as amended June 1, 1938, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building shall not exceed a height of six (6) stories above sidewalk grade; that the building shall be constructed fireproof throughout; that it shall be equipped with a sprinkler and standpipe system throughout; that the requirements of the zoning regulations as to area, rear yards, etc., shall be complied with in all other respects; that the facade shall be finished substantially in accordance with the photostats filed in this case; that in the event portion of the building is occupied by a concern dealing in taxicabs, that one floor may be devoted to repairing and conditioning such motor vehicles, *on condition* that the work shall be done mainly with hand tools and provided that any acetylene burning or welding or paint spraying are in accordance with all laws and rules applicable thereto and subject to legal permits; that in the event one of the upper floors is occupied by a concern conducting a coat, apron and linen service, as well as storage of motor vehicles used in conjunction with such service, such use may be permitted, provided there is constructed a wall of fireproof materials separating the space occupied by the motor vehicles from the balance of the floor, with any openings in such partition protected by fireproof self-closing doors; that if it is desired to use the roof for the storage of motor vehicles, such storage may be permitted, provided all motor vehicles so stored as emptied of gasoline; that in addition to the use herein permitted, the basement story may be occupied as a salesroom for the sale of taxicabs; a garage and a work shop, office and stockroom and automobile repair shop may be maintained on the 1st and 2nd floors; paint shop for automobiles may be maintained on the 3rd floor; the 4th floor may be occupied as a sales and stock room and the 5th and 6th floors may be occupied as showroom

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and factory, on condition that wherever the occupancy is for the storage, repairing, painting or servicing of automobiles, space where such work is carried on shall be separated from all other portions of the particular floor by fireproof partitions; that any openings in such

partitions shall be protected by fireproof self-closing doors."

*Correction—as shown in *italics* in line 50 of resolution.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First. That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second. That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third. That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press

Fourth. That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth. That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth. That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 3, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, Similar Materials and Adhesives used for Decorative Purposes, Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drape, curtain and scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire in accordance with the requirements of the commissioner, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate, C19-161.1 except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 2 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall

be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—

Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

(Cal. No. 1-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 17, 1940, at 10 A.M., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

NOTE—New matter in *italics*; old matter in brackets [] to be omitted.

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the *Borough* Superintendent. The *Borough* Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the *Borough* Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

- 3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the *Borough* Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the constructor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the *Borough* Superintendents. All certificates of qualification issued shall be uniform for the fire Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.
- 4.2.3 The *Borough* Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.
- 4.2.4 *Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year. Such record shall be on a form of certificate as approved by the Board of Standards and Appeals.*

Rule 5. Qualification Test for Welders.

- 5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the *Borough* Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City [may] *shall* be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and [if the operator is to perform overhead welding] two in the overhead welding position.
- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same *general* type of electrodes or welding rods as are to be used in the work for which the operator is being tested. [the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify]

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the *Borough* Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the *Borough* Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the *Borough* Superintendent.

- 9.1.1. *The Borough Superintendent may, in the case of minor welding operations, including stairs*

PUBLIC HEARING

and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge as approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 The welder and the welds shall be protected by adequate covering against high winds, rain, snow or sleet.

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature (of the base metal) is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld (over an area of 9 square inches) shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, [and] Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or seal, affixed by the standard Testing Agency or Inspection Agency, to the effect that these Rules have been complied with.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Court Decision.

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Public Assembly and Special Occupancy Structures.

Notice of Public Hearing on Proposed Amendments to
Rules for Fusion Welding and Gas Cutting.

Fire Retarding Rules for Garages, etc.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to April 30, 1940.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
421-40-BZ....	H.B.M....	122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan, Drop Curb Applic. 36-40.
422-40-A.....	H.B.Q.....	58-08 185th street, west side, 40 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens, N.B. 2173-40.
423-40-A.....	H.B.Q.....	58-12 185th street, west side, 80 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens, N.B. 2174-40.
424-40-A.....	H.B.Q.....	58-16 185th street, west side, 120 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens, N.B. 2175-40.
425-40-A.....	H.B.Q.....	58-07 185th street, east side, 40 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens, N.B. 2168-40.
426-40-A.....	H.B.Q.....	58-11 185th street, east side, 80 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens, N.B. 2169-40.
427-40-A.....	H.B.Q.....	58-15 185th street, east side, 120 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens, N.B. 2170-40.
428-40-A.....	H.B.Q.....	58-19 185th street, east side, 160 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens, N.B. 2171-40.
429-40-A.....	H.B.Q.....	58-23 185th street, east side, 200 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens, N.B. 2172-40.
430-40-SM.....		Pulverized Bulldog Quicklime,

Red Seal Waterproof Pulverized Quicklime, Hi - Power Masons Hydrated Lime and Quicklime in bulk, lump, pulverized and pebble sized, manufactured by American Lime Products Company,
Material.

431-40-BZ....H.B.M....317-325 West 59th street, north side, 186 ft. west of Columbus Circle (Block No. 1112, Lot Nos. 15, 115, 16 and 17), Borough of Manhattan,
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432-40-A.....F.D.....307 Sumpter street, north side, 330 ft. east of Hopkinson avenue (Block No. 1521, Lot No. 64), Borough of Brooklyn,
82640-L.C. and Decision.

433-40-A.....F.D.....Re Transportation of Gasoline in Tank Trucks (construction of tanks not built of steel in accordance with Fire Department Specifications covering Tanks), in New York City,
Decision.

434-40-S.....F.D.....5502-5520 Second avenue, west side, entire block from 55th street to 56th street (Block No. 828, Lot No. 1), Borough of Brooklyn,
Decision.

435-40-A.....H.B.Q.....East side of Berriman boulevard, from north side of 47th street to south side of Steinway street (Bowery Bay Sewage Treatment Works); (Block No. 776, Lot No. 150), Long Island City, Borough of Queens,
N.B. 1273-40.

436-40-BZ....H.B.Bx...North side of East 179th street, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx,
N.B. 324-40.

437-40-A.....F.D.....3903-3905 Second avenue, east side, 25 ft. 2 in. north of 39th street (Block No. 707, Lot No. 7), Borough of Brooklyn,
993-L.F. and Decision.

438-40-A.....F.D.....1008 Winthrop street, south side, 75 ft. west of East 92nd street

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(Block No. 4627, Lot No. 6),
Borough of Brooklyn,
81943-C and Decisions.

439-40-BZ....H.B.Q.....96-14 to 96-24 Rockaway boulevard, southwest corner of 97th street (Block No. 9167, Lot Nos. 7 and 8), South Ozone Park, Borough of Queens,
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440-40-SM.....Hamilton Thermostatic Shower Mixing Valve, Series Nos. 2000 and 4000, manufactured by Hamilton Manufacturing Company, Material.

441-40-BZ....H.B.M.....353-355 West 54th street, north side, 125 ft. east of Ninth avenue (Block No. 1045, Lot Nos. 6 and 7), Borough of Manhattan,
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442-40-BZ....H.B.Q.....357 St. Nicholas avenue and 1662 Woodbine street, northeast corner (Block No. 3450, Lot No. 12), Ridgewood, Borough of Queens,
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443-40-BZ....H.B.B.....890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn, Alt. 1168-40.

444-40-A.....H.B.B.....149 Congress street, 359-363 Henry street, 120-122 Amity street, 115-121 Amity street and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6, 10 and 11; Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn,
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445-40-A.....H.B.B.....551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn,
Amendment to Permit Nos. 4223 and 4224-38.

446-40-BZ....H.B.M.....4431 Broadway, west side, 108 ft. south of West 190th street

(Block No. 2180, Lot No. 492), Borough of Manhattan,
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447-40-A....H.B.B.....115 Livingston street and 12 Court square, northeast corner (Block No. 153, Lot No. 1), Borough of Brooklyn,
Alt. 1540-40.

448-40-SM.....Robertson Keystone Beam Steel Floor and Robertson Cellular Steel Floor, manufactured by H. H. Robertson Company, Material.

449-40-SA.....Reznor and Carrier Gas Heaters, Appliance.

450-40-A.....H.B.M.....241 West 72nd street, north side, 280 ft. 5 $\frac{1}{2}$ in. west of Broadway (Block No. 1164, Lot No. 15), Borough of Manhattan,
N.B. 90-39.

451-40-A.....F.D.....23 Barclay street, north side, 212 ft. 6 $\frac{1}{2}$ in. west of Broadway (Block No. 123, Lot No. 4), Borough of Manhattan,
4726-L.F. and Decision.

452-40-SA.....Erie Gasoline Pump, Model No. 77, Appliance.

453-40-SA.....Fitzgibbons Domestic Steel Heating Boiler, Models "Oil Eighty" and "Stoker Eighty", Appliance.

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93-33-BZ....H.B.B.....246-250 Atlantic avenue, southwest corner of Boerum place (Block No. 278, Lot Nos. 38, 39 and 40), Borough of Brooklyn, Applic. 14418-35.

272-26-BZ....H.B.B.....555-563 Atlantic avenue, north side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn, B.N. 6963-39.

155-36-BZ....H.B.B.....258-280 Lott avenue, 540-554 Christopher avenue, southwest corner, and 821-835 Stone avenue, southeast corner of Lott avenue (Block No. 3855, Lot

CALENDAR

Nos. 10 and 17), Borough of
Brooklyn, Plan No. 6353-40.

APRIL 30, 1940, 10 A. M.

Building Zone Applications.

1373-18-BZ....H.B.B....1666-1674 St. Johns place, south-
east corner of Ralph avenue
(Block No. 1473, Lot No. 9),
Borough of Brooklyn,
Alt. 617-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

COURT DECISION.

In re 440 East 102nd Street Corporation (Murdock). On November
21, 1939, Board revoked Certificate of Occupancy No. 25131
and all permits in connection with gas station use, under
Cal. No. 1219-39-A, affecting premises 440 East 102nd Street,
southwest corner of East River drive, Borough of Manhattan,
on the ground that section 6 did not permit the change of
use from stable to gasoline station. Mr. Justice Steuer
reversed the Board (N.Y.L.J., April 26, 1940).

RULES

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Tank Trucks, Gasoline, etc.Nov.	24, 1936—Vol. 21, No. 47
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Gas HeatersAug.	29, 1939—Vol. 24, No. 35
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Range Oil Burners and Space HeatersAug.	29, 1939—Vol. 24, No. 35
Vacuum BreakersNov.	7, 1939—Vol. 24, No. 45

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, April 30,*
1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 275-40-BZ—Application, March 13, 1940, under sec-
tion 21 of the building zone resolution,
of Carl F. Grieshaber, applicant, on be-
half of the Department of Public Works,
City of New York, owner, to permit in
a residence use district the erection and
maintenance of a storage garage for
more than three (3) motor vehicles;
premises 101 Hart boulevard, east side,
block bounded by Hart boulevard, Ran-
dall avenue, Delafield avenue and El-
wood place (Block No. 131, part of
Lot No. 122), West New Brighton,
Borough of Richmond.

CAL. NO. 738-38-BZ—Application, August 23, 1938, under
sections 7a and 21 of the building zone
resolution, of Bernard Trencher, appli-
cant, on behalf of Mary T. Hasselman
and Anastasia L. Bartley, owners
(Socony-Vacuum Oil Company, Inc.,
lessee), to permit in a residence use
district, the extension of a gasoline ser-
vice station and the erection and main-
tenance of a building to be used as a
gasoline service station office, lubri-
tory, auto laundry and for the sale of
accessories; premises 1815-1825 Ocean
avenue, east side, 280 ft. south of Ave-
nue M (Block No. 7656, Lot No. 55
and part of Lot Nos. 51, 54 and 58).
Borough of Brooklyn.

CAL. NO. 282-35-BZ—Application of Paul Friedman, appli-
cant, on behalf of Bay Parkway Hold-
ing Corporation, owner, reopened for
rehearing on alleged new facts January
30, 1940, under section 21 of the build-
ing zone resolution, to permit in a busi-
ness use district the erection and main-
tenance of a gasoline service station
(previously granted on condition by the
Board—Board's decision reversed by the
Court); premises 1159-1167 Utica ave-
nue and 5002-5010 Clarendon road,
southeast corner (Block No. 4771, Lot
No. 1), Borough of Brooklyn.

CAL. NO. 328-39-BZ—Application, March 15, 1939; dismissed
for lack of prosecution March 19, 1940;
reopened and restored to Calendar April
2, 1940, of Robert A. Pabian, applicant,
on behalf of Chase National Bank of
the City of New York, trustee for May
Lillian de Ruggiero and guardian for
Robert Cook, owners (Joseph Sliva,
lessee), under section 7h of the building
zone resolution, to permit, partly in a
business use district and partly in an un-
restricted use district, for a temporary
period of not more than two (2) years,
the parking and storage of more than
five (5) motor vehicles; premises 405
East 75th street, north side, 88 ft. east

CALENDAR

of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

CAL. NO. 93-38-BZ—Application, February 16, 1938; dismissed for lack of prosecution June 27, 1939; reopened and restored to Calendar April 9, 1940, of M. P. Murphy, applicant and owner, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-11 30th (Grand) avenue, north side, 50 ft. west of 29th street (Block No. 575, Lot No. 21), Long Island City, Borough of Queens.

CAL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 1422-39-BZ—Application, November 17, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of J. & P. Development Corporation, owner, to permit in a residence use district the creation and maintenance of a gasoline service station, lubritorium, auto laundry and office; premises 133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1242-39-BZ—Application, October 9, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Alken Realty Corporation, owner (Shell Oil Company, Inc., lessee), to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution,

of William C. Stohldrier and Robert Sheffield Farms Company, Inc., owner, G. Zetsche, applicants, on behalf of to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 30, 1940, 2 P. M.

Appeals from Administrative Decisions.

64-40-A—447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx.

61-40-A—36-18 to 36-20 Main street, west side, 166 ft. south of Northern boulevard (Block No. 827, Lot No. 43), Flushing, Borough of Queens.

85-40-A—11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan.

251-40-A-WF—40-33 Lawrence street, east side, 54.17 ft. south of 40th avenue (Block No. 5037, Lot No. 12), Flushing, Borough of Queens.

374-40-A—1613-1633 Dean street, north side, 127 ft. 1 3/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

433-40-A—Re transportation of gasoline in tank trucks (construction of tanks not built of steel in accordance with Fire Department specifications for tanks) in New York City.

308-40-A—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

410-40-A—1332-1350 Broadway and 597-617 Sixth avenue, blocks bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan.

Variation of the Labor Law.

411-40-S—1332-1350 Broadway and 597-617 Sixth avenue, blocks bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan.

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MAY 3, 1940, 10 A. M.

Rules.

294-40-SR—Proposed Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Appeals from Administrative Decisions.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

MAY 7, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution. *Tuesday morning, May 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern,

owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 113-38-BZ—Application, February 23, 1938; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar March 12, 1940, under sections 7h and 21 of the building zone resolution, of Arthur Balley, applicant and lessee, on behalf of Keppler Company, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 163rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

CAL. NO. 85-39-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, reopened March 19, 1940, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

CAL. NO. 370-40-BZ—Application, April 10, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Frank P. Mandel and James M. Brooks, owners, to permit in a residence use district and, also, "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution; premises 1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue "S" (Block No. 6827, Lot No. 33), Borough of Brooklyn.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 132-40-BZ—Application, February 2, 1940, under

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section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

420-40-A—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

MAY 7, 1940, 2 P. M.

Appeals from Administrative Decisions.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

1339-39-A—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

378-40-A—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

367-40-A—291 Thatford avenue, east side, 150 ft. north of Livonia avenue (Block No. 3577, Lot No. 10), Borough of Brooklyn.

380-40-A—390 Pearl street, east side, 20 ft. south of Oak street (Block No. 112, Lot No. 18), Borough of Manhattan.

450-40-A—241 West 72nd street, north side, 280 ft. 5½ in. west of Broadway (Block No. 1164, Lot No. 15), Borough of Manhattan.

169-40-A—1272 East 222nd street, south side, 130.07 ft. west of Boston Post road (Block No. 4729, Lot No. 11), Borough of The Bronx.

MAY 10, 1940, 10 A. M.

Appeals from Administrative Decisions.

422-40-A—58-08 185th street, west side, 40 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

423-40-A—58-12 185th street, west side, 80 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

424-40-A—58-16 185th street, west side, 120 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

425-40-A—58-07 185th street, east side, 40 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

426-40-A—58-11 185th street, east side, 80 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

427-40-A—58-15 185th street, east side, 120 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

428-40-A—58-19 185th street, east side, 160 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

429-40-A—58-23 185th street, east side, 200 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

435-40-A—East side of Berriman boulevard, from north side of 47th street to south side of Steinway street (Block No. 776, Lot No. 150), Long Island City, Borough of Queens (Pump and Blower House for Bowery Bay Sewage Treatment Works).

MAY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 14, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business

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use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 67-33-BZ—Application of Stein and Wiener, applicants, on behalf of Harry Weissberg, owner, reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

CAL. NO. 1521-39-BZ—Application, December 19, 1939, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of Josephine Newman, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 10 and part of Lot Nos. 1 and 12), and 12), Borough of Manhattan.

CAL. NO. 88-40-BZ—Application, January 25, 1940, under sections 7a and 7g of the building zone resolution, of Joseph J. Campbell, applicant and lessee, on behalf of May E. Campbell, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and

CAL. NO. 144-40-BZ—Application, February 3, 1940, under section 21 of the building zone resolution, of Benjamin B. Wesley, applicant, on behalf of Hadley Home Builders, Incorporated, owner, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 26), Borough of Brooklyn.
Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

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MAY 17, 1940, 10 A. M.

Rules.

1-38-SR—Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

MAY 21, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 21, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 582-38-BZ—Application of Justine Schwab, applicant and owner, reopened April 23, 1940, for consideration as to extension of time to complete work and an amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 1266-25-BZ—Application of Jack Z. Cohen, applicant, on behalf of Max M. Leader, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and extension of an accessory building on an existing gasoline service station (gasoline service station previously granted by the Board); premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

CAL. NO. 1161-39-BZ—Application, September 21, 1939, under sections 7a and 21 of the building zone resolution, of Robert T. Schaefer, applicant, on behalf of Michael McCormick, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop—to be erected, in part, on an existing gasoline service station; premises 4302-4308 Faragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1100-39-BZ—Application, September 5, 1939, under section 21 of the building zone resolution, of William Wolff, applicant, on behalf of Bertha Geis, owner (Samuel Levine, lessee), to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

CAL. NO. 387-39-BZ—Application of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, reopened July 18, 1939, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board); premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 1308-39-BZ—Application, October 24, 1939, under section 7h of the building zone resolution, of Philip Hirshkind, applicant and lessee, on behalf of Manufacturers Trust Company (as trustee), owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 28, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 28, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 164-40-BZ—Application, February 10, 1940, under section 7h of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Central Savings Bank in the City of New York, owner

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(George Somnig, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

CAL. NO. 256-40-BZ—Application, March 7, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

CAL. NO. 265-28-BZ—Application of Ottilia Realty Corporation, applicant and owner, reopened February 6, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 152-40-BZ—Application, February 8, 1940, under section 21 of the building zone resolution, of Arnold J. Marshall, applicant and lessee, on behalf of John Bodine Estates, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

CAL. NO. 218-40-BZ—Application, February 29, 1940, under sections 7c and 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit the extension, from a business use district into a residence use district, of an existing central telephone exchange; premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 28, 1940, 2 P. M.

Appeal from Administrative Decision.

454-40-A—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, APRIL 23, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, March 26, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, March 26, 1940, were approved as printed in Bulletin No. 14, Vol. 25.

BUILDING ZONE CASES.

282-35-BZ.

APPLICANT—Paul Friedman, for Bay Parkway Holding Corporation, owner.

SUBJECT—Application reopened for rehearing on alleged new facts January 30, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on con-

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dition by the Board—Board's decision reversed by the Court).

PREMISES AFFECTED—1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Paul Friedman.
For Opposition: Leonard R. Hardy.

ACTION OF BOARD—Laid over to April 30, 1940, at 10 A.M., on request of representative of attorney for objectors.

738-38-BZ.

APPLICANT—Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubricatory, auto laundry and for sale of accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55, and part of Lot Nos. 15, 54 and 58), Borough of Brooklyn.

APPEARANCES—
For Applicant: Bernard A. Trencher.

ACTION OF BOARD—Laid over to April 30, 1940, at 10 A.M., on request of representative for attorney in objection.

1012-39-BZ.

APPLICANT—Lama and Proskauer, for Abraham J. Stern, owner (Pilgrim Gas Stations, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension in area and the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—4902-4910 Kings highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—
For Applicant: Bernard Austin and Alfred A. Lama.

ACTION OF BOARD—Laid over to May 7, 1940, at 10 A.M., for further consideration by the Board and submission of revised plans by applicant.

1470-39-BZ.

APPLICANT—Lama and Proskauer, for Estate of Joseph Guffanti, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama and Betty Guffanti.
For Opposition: William Obermayer, Jr., Patrick J. Noonan, Bertram H. Siegeltuch, Daniel Bayer, H. Rolker and Lillian Siegel.
For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., for further consideration by the Board; also Board to obtain records from Building Department.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

SUBJECT—Application reopened March 5, 1940—re extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Arthur W. Renander.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—
(104-37-BZ)

WHEREAS, Arthur W. Renander, for Adelina Granello, owner, filed March 12, 1937 an application under the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-37 to 90-07 161st street, east side, 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th avenue (Shelton avenue); (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens; and

WHEREAS, this application was granted November 9, 1937, for a temporary period, on certain conditions, and applicant requested an extension of the temporary period; and

WHEREAS, this application was reopened March 5, 1940, and set for hearing April 23, 1940, to permit due publication in the Bulletin of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that in view of the existence of the public school on 89th avenue, in the same portion of the street between the intersecting streets as the proposed parking lot, it is without jurisdiction to grant a continuation of said parking lot.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

SUBJECT—Application reopened March 5, 1940—re extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Arthur W. Renander.
For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

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THE RESOLUTION—

(105-37-BZ)

WHEREAS, Arthur W. Renander, for Nunley Holding Corporation, owner, filed March 12, 1937, an application under the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles; premises: 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board November 9, 1937, for a temporary period, on certain conditions, and applicant requested an extension of the permit; and

WHEREAS, this application was reopened by vote of the Board March 5, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted November 9, 1937, only so far as it has reference to the term of the permit, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof for a period of two years from the date of this *amended resolution*, permitting the plot under appeal to be used for transient *parking* of more than five motor vehicles, *on condition* that it shall not be used for *storage* or any other use during the period of this variance; that the plot shall be leveled generally to the grade of 162nd street and surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that there shall be erected on the interior lot lines where walls of existing buildings do not occur on the lot lines, suitable fencing, and on the street building line a fence of heavy woven wire not less than 6 ft. in height with only one opening to 162nd street, such opening not to exceed 20 ft. in width and with curb cut opposite not exceeding 20 ft. in width; that no building shall be erected on the premises other than an office for the attendant, which shall not exceed one story in height and not over 10 ft. by 15 ft. in area; that no signs shall be permitted on the premises except a neat sign on the entrance, advertising the transient parking use; that lights for illumination shall be so arranged as to reflect toward the center of the plot and away from adjoining occupancies and that such portable fire fighting appliances shall be maintained as the commissioner shall direct."

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

SUBJECT—Application reopened March 5, 1940—re extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—89-13 to 89-17 164th street, east side, and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens

APPEARANCES—

For Applicant: Arthur W. Renander.
For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief
McCarthy

Negative 4
0

THE RESOLUTION—

(107-37-BZ)

WHEREAS, Arthur W. Renander, for Grace Church Corporation, owner, filed March 12, 1937, an application under the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles; premises: 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board September 14, 1937, for a temporary period, on certain conditions, and applicant requested an extension of the permit; and

WHEREAS, this application was reopened by the Board March 5, 1940, and set for hearing April 23, 1940, to permit due publication in the Bulletin of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted September 14, 1937, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H for a period of two (2) years, from the date of this amended resolution, permitting the plot under appeal to be used for transient *parking* of more than 5 motor vehicles, *on condition* that the plot shall not be used for *storage* of automobiles or any other use during the period of this variance; that the plot shall be levelled generally to the grade of 164th and 165th streets and surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that there shall be erected on interior lot lines a substantial woven-wire fence not less than 6 ft. in height; that a similar fence shall be erected on street building lines on both 164th and 165th streets with not over two (2) openings to each street, each opening not to exceed 20 ft. in width with curb cut opposite of similar width; that no building shall be erected on the premises during the term of this variance, except there may be erected at either end of plot a small building not exceeding 100 sq. ft. in area and only one story in height as an office, for the use of attendant; that no signs shall be erected on the premises other than a neat sign at each entrance advertising the transient parking use and rates charged; that any lighting installed for general illumination shall be so arranged as to reflect toward the centre of plot and away from adjoining occupancies; that such portable fire-fighting appliances shall be installed as the commissioner shall direct.

Resolved further, that the parking use herein permitted may be in conjunction with a similar use of the adjoining lot to the south, namely Lot 48, Block 866, as permitted by the Board under calendar number 44-1938-BZ."

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

SUBJECT—Application reopened March 5, 1940—re extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—90-05 to 90-11 160th street,

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east side and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application denied.

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(108-37-BZ)

WHEREAS, Arthur W. Renander, for Jamaica Savings Bank, owner, filed March 12, 1937, an application under the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles; premises 90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board November 9, 1937, for a temporary period, on certain conditions, and applicant requested an extension of the permit; and

WHEREAS, this application was reopened March 5, 1940, and set for hearing April 23, 1940, to permit due publication in the Bulletin of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that in view of the existence of the public school on 161st street, the same street between the intersecting streets as the proposed parking lot, it is without jurisdiction to grant a continuation of said parking lot.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

119-37-BZ.

APPLICANT—Arthur W. Renander, for William J. Jung, Florence V. Jung and Frederick W. Erdtmann, receiver for Nathaniel C. Hendrickson, et al, owners.

SUBJECT—Application reopened March 5, 1940—re extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(119-37-BZ)

WHEREAS, Arthur W. Renander, for William J. Jung and Florence V. Jung, owners, filed March 18, 1937, an

application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises: 89-17 to 89-27 162nd street, east side, 190.70 ft. south of 89th (Shelton) avenue, and 89-26 to 89-30 163rd street, west side, 242.27 ft. south of 89th (Shelton) avenue (Block No. 836, Lot Nos. 30, 32 and 61), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board February 23, 1938, for a temporary period, on certain conditions, and applicant requested an extension of the permit; and

WHEREAS, this application was reopened March 5, 1940, and set for hearing April 23, 1940, to permit due publication in the Bulletin of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted February 23, 1938, only so far as it refers to the term of the permit, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, for a temporary period of two years from the date of this *amended resolution*, as to Lots 30 and 32, with a frontage of 112.5 ft. on 162nd street and a depth of 127 ft., for transient parking of more than five motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of 162nd street and shall be surfaced with steam cinders or other suitable material, properly bound to prevent dusting and graded to permit surface drainage; that there shall be erected on the interior lot lines substantial woven wire fence continuously where walls of adjoining buildings do not occur; that a similar fence shall be erected along the street line of 162nd street with not over two openings therein, each opening not to exceed 12 ft.; that during the continuation of this variance, the plot shall be used for no other use; that no building shall be erected thereon except a small building not over one story in height, erected near the entrance, for an office and shelter for the attendant; that no signs shall be erected on the premises other than a neat sign at the entrance, advertising the parking use and the rates charged; that lights for illumination, if erected, shall have metal reflectors and be so placed as to reflect toward the center of the property and away from adjoining occupancies; that no entrance to this plot shall be made to Lot 61 in the rear, facing 163rd street; that such portable fire-fighting appliances shall be installed as the commissioner shall direct."

1501-39-BZ.

APPLICANT—James R. Curreri, for R. Marinelli, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (2 stores), the maintenance of a two (2) car garage and, also, a three (3) car garage.

PREMISES AFFECTED—2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: James R. Curreri.

For Opposition: Charles Phillips, Edmund Herbst, Clara Storper, William F. Breidenbach, Sarah McPartland and Josephine Schwing.

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ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1501-39-BZ)

WHEREAS, James R. Curreri, for R. Marinelli, owner, filed December 13, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (2 stores), the maintenance of a two (2) car garage and, also, a three (3) car garage; premises 2012 Daly avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Daly avenue and Vyse avenue are in residence and business use districts; East 178th street and East 179th street are in residence use districts; Tremont avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. Applic. No. 797-39, dated November 16, 1939, reads:

"2. Business use in a residence district prohibited by Sec. 3, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 37.5 ft. and a depth of 171.83 feet, upon which there is located a 2 story frame dwelling, and also a two car garage and a three car garage. It is proposed to demolish the frame dwelling, to relocate the two garages, and to erect upon the north portion of the plot (leaving a 9 ft. 6 in. driveway to the garage) a one-story, non-fireproof building, 28 ft. by 50 ft. in area, to be occupied as two stores; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1526-39-BZ.

APPLICANT—Lama and Proskauer, for Daniel T. Slattery, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Donald T. Slattery, William D. Fraser, Alfred A. Lama and Louis Malin.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief McCarthy 2
Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(1526-39-BZ)

WHEREAS, Lama and Proskauer for Daniel T. Slattery, owner, filed December 20, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 218-226 Meeker avenue, east side, 71 ft. 4¾ in. south of Jackson street (Block No. 2746, Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use of district maps accompanying the building zone resolution show that Meeker avenue and Skillman avenue are in business and unrestricted use districts; Lorimer street is in a business use district, Union avenue is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent (re. N.B. Applic. No. 3013-1939), dated November 21, 1939, reads:

"The erection of a gasoline service station in a business use district is prohibited by Art. II, Sec. 4a (46) of the Building Zone Resolution. Application is hereby denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 83 ft. 9 in. on Meeker avenue, a distance of 69 ft. along the south lot line and 59 ft. 6 in. along the east lot line. It is proposed to erect upon the site a one-story structure, 22 ft. by 36 ft., irregular in area, to be used as office and lubricatorium and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and hereby is *affirmed*, and that the application be and is hereby is *denied*.

95-40-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in the City of New York, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(95-40-BZ)

WHEREAS, Louis E. Ordwein, for The Bank for Savings in the City of New York, owner, filed January 27, 1940, an application under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period

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of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-49 West 58th street, north side, 141 ft. 8 in. east of 6th avenue (Block No. 1274, Lot Nos. 6½, 7 and 9), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 58th street is in a retail and business use district; Central Park south is in a residence and retail use district; Sixth avenue is in a retail, restricted retail, and residence use district; Seventh avenue is in a retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 24, 1940, reads:

"With reference to your application dated January 15, 1940, for a certificate of occupancy for the use of the above premises as a parking and storage space for more than five (5) motor vehicles, we wish to advise you that same has been denied for the reason that the premises are located in retail district where this occupancy is prohibited by Section 4A, Building Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 93 ft. 4 in. and a depth of 100 ft. 5 in. It is proposed to use the plot for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under Section 7h for a temporary period of two years.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, to permit the plot under appeal to be occupied for a term of two years, for the transient parking of motor vehicles, *on condition* that only those of the pleasure car type shall be so parked; that the plot shall be leveled substantially to the grade of West 58th street and surfaced with clean gravel, steam cinders or other suitable material, properly rolled and bound to prevent dusting, and to provide surface drainage; that there shall be located on the interior lot lines where walls of adjoining buildings do not occur, a substantial woven wire fence with steel posts not less than 6 feet in height with no openings to adjoining premises; that a steel picket fence not less than 6 feet in height shall be erected on the street building line of West 58th street, mounted on concrete curbs not less than 1 ft. in height and 1 ft. in width, with no openings therein except for one entrance to West 58th street which shall be not over 20 feet in width with concrete curb opposite of similar width; that during the term of this permit the premises shall be used for no other use than the transient parking herein permitted; that no building shall be erected thereon, except for a building not over one-story in height and 150 sq. ft. in area, which may be of frame, to be used solely as office and shelter for the attendant; that proper aisles shall be maintained at all times for easy ingress and egress; that signs shall be restricted to one sign attached to the fence and not extending beyond the building line and not over 15 sq. ft. in area, advertising solely the transient parking use permitted; that such portable fire-fighting appliances shall be maintained on the premises as the commissioner shall direct; that all permits required shall be obtained and all work involved completed within six months of the date of this resolution.

167-40-BZ.

APPLICANT—Albert Mayer and Julian H. Whittlesey,

for 240 Central Park South, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a retail use, partly in a business use and partly in a residence use district, the erection and maintenance of a Class A multiple dwelling having a business use (stores and restaurant) on the first story.

PREMISES AFFECTED—232-240 Central Park south, 235-241 West 58th street and 1796-1808 Broadway (Block No. 1030, Lot. No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: John E. Carroll, Albert Mayer and Charles Mayer.

For Opposition: John J. Greely.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Savage and Assistant Chief McCarthy 3

Negative: Commissioner Blum 1

THE RESOLUTION—

(167-40-BZ)

WHEREAS, Albert Mayer and Julian H. Whittlesey, for 240 Central Park South, Inc., owner, filed February 13, 1940, an application under sections 7c and 21 of the building zone resolution, to permit partly in a retail use, partly in a business use, and partly in a residence use district, the erection and maintenance of a Class A multiple dwelling having a business use (stores and restaurant) on the first story; premises 232-240 Central Park south, 235-241 West 58th street and 1796-1808 Broadway. (Block No. 1030, Lot No. 58), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a retail use district; Central Park south is in a residence and retail use district; West 58th street is in a business and retail use district; Seventh avenue is in a residence, business and restricted retail use district; and

WHEREAS, the decision of the borough superintendent re N.B. Application No. 143-1939, dated January 19, 1940, reads:

"Proposed restaurant in residence district at variance with Zoning Resolution. (Not further considered at this time.)"

and
WHEREAS, the premises consist of a plot of ground having a frontage of 164 ft. 4 in. on Broadway, 50 ft. 4 in. on Columbus circle, 189 ft. 10 in. on Central Park south, 145 ft. on West 58th street and a distance of 200 ft. 10 in. along the east lot line. It is proposed to erect upon the site a 26 story fireproof Class A multiple dwelling, having stores on the Broadway front, and also a restaurant and open air restaurant on the easterly portion of the Central Park south portion of the 1st story. The southerly portion of the plot is located in a business use district, the Broadway frontage of the plot is located in a retail use district, and an area at the easterly portion of the Central Park south section of the plot extends into the residence use district for a distance of 91 feet along Central Park south. The proposed restaurant and kitchen in cellar and open air restaurant are located in the residence use district, with the exception of a small irregular shaped area at the westerly Central Park south frontage, said small area being in a retail use district. The restaurant and open air restaurant area have a frontage of approximately 99 ft. on Central Park south and a distance of 60 ft. along the east lot line; and

WHEREAS, these premises and the surrounding area were

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inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the business use as a restaurant on street floor, as proposed, into the more restricted area, *on condition* that there shall be no door opening from the restaurant to Central Park south within the residential use district, and that the windows shall be so arranged as to not be removable; that there shall be no servicing from the street to the basement or cellar within the residential use district, and there shall be no signs advertising the restaurant use within the residential use district; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

177-40-BZ.

APPLICANT—H. I. Feldman, for Bonvenu Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b and 7c of the building zone resolution, to permit partly in a business and partly in a residence use district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: H. I. Feldman and C. S. Crystal.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(177-40-BZ)

WHEREAS, H. I. Feldman for Bonvenu Corporation, owner, filed February 14, 1940, an application under sections 7b and 7c of the building zone resolution, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores); premises 17-02 to 17-06 Mott avenue, northwest corner of Beach 17th street (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 23, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Mott avenue is in a business use district; Beach 17th street, Beach 18th street and Cornaga avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. 676-40 dated February 8, 1940, reads:

"The erection of a business building extending partly into a residence district is contrary to Art. II, Sec. 3 of the Zone Resolution."

and

WHEREAS, the proposed building is to be of non-fireproof construction with a frontage of 70 ft. on Mott avenue and 120 ft. on Beach 17th street, one story in height and to be occupied as stores. The northerly portion of the proposed building will extend into the residence use district for a

distance of twenty ft., and the remainder of the building will be in the business use district; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision b of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7b thereof, to permit the extension of the proposed building into the more restricted district, for a distance not exceeding 20 ft., and 10 ft. additional for a rear yard, *on condition* that the rear yard shall be cement paved and separated from the balance of the plot to the rear with a substantial iron picket fence; that a similar fence shall be constructed along Beach 17th street to the proposed building with a substantial gate to enclose such rear yard; that no signs shall be permitted on the roof of the building in the residential use district; that any windows erected in the building on the westerly lot line shall be fireproof and self-closing; that in all other respects, the building shall comply with all laws, rules and regulations applicable to a building within the residential district; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Adjourned, 12:35 P.M.

Joseph J. Doyle, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 23, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

582-38-BZ.

APPLICANT—Justine Schwab, owner.

SUBJECT—Application for consideration — reopening and extension of time — re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Haus.

ACTION OF BOARD—Application reopened and set for hearing, May 21, 1940 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

238-27-BZ

APPLICANT—J. Louis Mushin, for B. & O. Silk Dyeing Company, Inc. (lessee), for Knickerbocker Laundry Company, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, permitting in a residence use district, the change of occupancy of an existing building from a laundry to a dyeing

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establishment (an extension to said laundry having been previously granted by Board).

PREMISES AFFECTED—51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: J. Louis Mushin.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(238-27-BZ)

WHEREAS, B. & O. Silk Dyeing Company, Inc., lessee, for Knickerbocker Laundry Company, Incorporated, owner, requested a reopening of the application and an extension of the permit, permitting in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment, an extension to said laundry having been previously granted by the board under this calendar; premises: 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473, Lot No. 82), Elmhurst, Borough of Queens; and

WHEREAS, this application was granted by the Board November 30, 1937, for a temporary period of two and one-half years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on November 30, 1937, be *amended*, only so far as it has reference to the term of the permit, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21, for a temporary period of two years from the date of this *amended resolution*, to permit the occupancy of the building for the silk dyeing use proposed, *on condition* that the number of occupants shall not exceed ten (10) at any one time; that the operation of the plant shall meet all the requirements of the Department of Health and the State Labor Department and also all laws, rules and regulations applying to the building and its use; that the building and premises shall not be extended and that a new certificate of occupancy shall be obtained for the temporary use herein permitted.

382-37-BZ

APPLICANT—Martin H. Latner, for Carrie Kauder and Aaron A. Roth, for George M. Thomson, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—43-26 to 43-36 48th street, west side, 100 ft. north of Queens boulevard (Block No. 140, Lot Nos. 40 and 42), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aaron A. Roth and Martin H. Latner.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(382-37-BZ)

WHEREAS, Aaorn Roth, for Stewcan Realty Corporation and George M. Thomson, owners, filed July 27, 1937, an application under the building zone resolution to permit for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles; premises 43-26 to 43-36 48th street, west side, 100 ft. north of Queens boulevard (Block No. 140, Lot Nos. 40 and 42), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the board June 28, 1938, on certain conditions, and applicant requested an extension of the permit.

Resolved, that the resolution adopted by the Board on June 28, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7, subdivision H thereof, for a temporary period of two years from the date of this *amended resolution*, to permit the plot under appeal to be occupied for the parking and storage of more than five motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so stored or parked; that the plot shall be leveled substantially to the grade of 48th street and covered with steam cinders or other suitable material, properly rolled and bound to prevent dusting and graded to provide surface drainage; that unless a proper legal retaining wall is constructed on the rear lot line, no cars shall be parked within five (5) feet of the rear line of the property; that a curb shall be erected at that point to prevent cars from being parked nearer than five feet to the rear property line; that on interior lot lines where walls of adjoining buildings do not occur, there shall be erected a substantial woven wire fence not less than six feet in height; that a similiar fence shall be erected along the street building line of 48th street, except for one entrance, as indicated on plans, toward Queens boulevard, which shall be not over 20 feet in width with a curb cut opposite of similar width; that during the term of this variance, the premises shall be used for no other use and no building shall be erected thereon, except a small office and shelter for the attendant, not exceeding 150 square feet in area and not over one story in height; that this shelter may be of frame construction; that such portable fire-fighting appliances shall be maintained as the Commissioner may direct; that aisles shall be maintained at all times to permit easy ingress and egress; that no signs shall be erected on the premises other than a neat sign at the entrance, advertising the parking and storage use; that such sign shall not exceed 15 square feet in area and shall not be illuminated, nor extend beyond the building line; that any lights erected for general illumination shall be on post standards and equipped with metal reflectors to reflect away from the adjoining occupancies to the north and west."

523-38-BZ.

APPLICANT—Sidney L. Strauss, for George Ehret Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting, partly in a business use district, and partly in a residence use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block No. 842, Lot No. 80), Long Island City, Borough of Queens.

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APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum

and Assistant Chief McCarthy 3

Negative: Chairman Murdock 1

THE RESOLUTION—

(523-38-BZ)

WHEREAS, Sidney L. Strauss, for George Ehret Properties, Inc., owner, filed June 21, 1938, an application under sections 7h and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block No. 842, Lot No. 80), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the Board May 31, 1939, on certain conditions, time extended October 17, 1939, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 31, 1939, only so far as it refers to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"That in view of statement by applicant that the permits have been obtained and that all work has been completed except the removal of the brick building on the site and that all openings in the brick building have been bricked up; that all work shall be completed within one year from the date of this *amended resolution*."

999-38-BZ.

APPLICANT—Abram Shlefstein, for Duam Realty Holding Company, Inc., owner (Jack Goldstein, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of a gasoline service station (previously denied re extension of a gasoline service station, partly in a business use and partly in a residence use district).

PREMISES AFFECTED—219-25 Merrick boulevard, northwest corner of 220 street (Block No. 3541, part of Lot No. 114), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(999-38-BZ)

WHEREAS, Abram Shlefstein, for Duam Realty Holding Company, Inc., owner (Jack Goldstein, lessee), filed November 7, 1938, an application under the building zone resolution, to permit partly in a business use and partly in a residence use district, the extension of a gasoline service station; premises 219-25 Merrick boulevard, northwest corner of 220th street (Block No. 3541, Lot No. 114), Springfield, Borough of Queens; and

WHEREAS, this application was granted by the Board April 18, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved that the resolution adopted by the Board on April 18, 1939, be and it hereby is *amended* only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work

shall be completed within one (1) year from the date of this amended resolution."

43-39-BZ.

APPLICANT—Irving M. Fenichel, for Ken-Isle, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of a building to be used for fur storage and, also, a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—17-45 to 18-05 Clintonville street, east side, 800 ft. south of Locke avenue (Block No. 4732, Lot No. 9; Block No. 4729, Lot No. 46; Block No. 4746, Lot No. 1 and Block No. 4747, Lot No. 1), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(43-39-BZ)

WHEREAS, Irving M. Fenichel, for Ken-Isle, Inc., owner, filed January 11, 1939, an application under the building zone resolution, to permit in a residence use district the erection and maintenance of a building to be used for fur storage and also a garage for more than five (5) motor vehicles; premises 17-45 to 18-05 Clintonville street, east side, 800 ft. south of Locke avenue (Block No. 4747, Lot No. 1; Block No. 4732, Lot No. 9; Block No. 4729, Lot No. 46; Block No. 4746, Lot No. 1), Whitestone, Borough of Queens; and

WHEREAS, this application was granted by the Board March 28, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on March 28, 1939, be and it hereby is *amended*, so that as amended, it shall read:

.. "*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* to permit the erection of the additional building for a garage and storage room, as indicated on plans filed with this application, as amended by revised plans filed at this hearing, subject to all legal requirements for construction, occupancy and exits, *on condition* that the building shall be used solely as accessory to the main business on the plot and that no car shall be stored within the garage, except such cars as are owned by the concern occupying the premises or its employees; that a gasoline pump and tank, solely for serving such cars, may be installed, provided the tank does not exceed 550 gallons capacity; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution; that in all other respects all laws, rules and regulations applicable to the construction and occupancy of the plot shall be complied with as modified under resolution adopted by the Board on February 2, 1937, under Cal. No. 34-35-BZ.

"*Resolved further*, that in the event the owner desires to install the gasoline tank and pump outside of the building, as indicated on revised plans marked 'received March 15, 1940,' such location may be approved as complying with the requirements of this resolution."

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APPEALS FROM ADMINISTRATIVE DECISIONS.

1339-39-A.

APPLICANT—Ansonia Fire Prevention Company, for New Brighton Milling and Warehouse Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to May 7, 1940, at 2 P.M., for applicant to file plans with Building Department.

64-40-A.

APPLICANT—McDowell Sprinkler Corporation, for Florence A. Jackson, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to April 30, 1940, at 2 P.M., for applicant to correct application, and for additional information.

378-40-A.

APPLICANT—David Kaufman, for Lawrence Schmidt, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: David Kaufman.

ACTION OF BOARD—Laid over to May 7, 1940, at 2 P.M., for inspection by a committee of the Board.

383-40-A.

APPLICANT—William L. Kaplow, for Esther Gaver, owner (David Gaver and Sons, lessees).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to May 7, 1940, at 2 P.M., on written request of appellant.

259-40-A.

APPLICANT—Chester Baffa, for Videre Builders, Inc., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under section 35, General City Law re Bed of Mapped Street).

PREMISES AFFECTED—West side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378 Lot No. 28), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Chester Baffa.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(259-40-A)

WHEREAS, Chester Baffa, for Videre Builders, Inc., owner, filed March 7, 1940, an appeal from a decision of the borough superintendent of buildings (under section 35, General City Law, re Bed of Mapped Street); premises west side of 197th street, 430 ft. and 470 ft. south of 120th avenue (Block No. 3378, Lot No. 28), St. Albans, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. Nos. 7254, 7255, 7382 and 7383-39, reads:

"The construction of buildings in Bed of a mapped street (101st Ave.) is contrary to Sec. 35, Art. 3, general City Law."

and

WHEREAS, the premises consist of a plot 80 ft. by 100 ft. in area, 60 ft. of which lies within the lines of 121st avenue; and

WHEREAS, the proposed buildings will consist of 2 one-and one-half story, one-family dwellings, 24 by 38 ft. in area each, and 2 one-car private garages; and

WHEREAS, the applicant contends that no proceedings have been taken by the city to acquire title; that 14 buildings already exist within the lines of 121st avenue within the vicinity as shown on plans filed with this appeal; that the land does not yield a fair return to the owner; that the proposed buildings will be similar to those already erected by the same owner on 197th street; and

WHEREAS, the topographical bureau has reported to the Board that it offers no objection to the granting of the application, but, that it is desirable that the buildings be set back sufficiently from the front line so as to recognize the proposed 60 ft. width of 197th street; and

WHEREAS, a public notice of the hearing before the Board of this application has been published in the Long Island Daily Press, April 8, 1940, April 15, 1940 and April 22, 1940, and in the Bulletin of the Board.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. Nos. 7254, 7255, 7382 and 7383-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the power given to the Board by section 35 of the General City Law, to permit the construction in the bed of the proposed street, 121st avenue, as proposed, *on condition* that the requirements of the zoning law for the general district shall be complied with; that the residential buildings shall be set back from the street line of 197th street, as proposed to be widened, for a distance of not less than 15 ft., except for the projection of open steps; that the garages may be erected as indicated on plans filed herewith and that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto.

317-40-A.

APPLICANT—Joseph J. Reubel, for Pepsi-Cola Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—46-02 Fifth street, west side, between Standard Canal and 47th avenue (Block No. 21, Lot No. 1, and Block No. 22, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Joseph J. Reubel.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(317-40-A)

WHEREAS, Joseph J. Reubel, for Pepsi-Cola Company, owner, filed March 28, 1940, an appeal from a decision of the borough superintendent of buildings; premises 46-02 Fifth street, west side, between Standard Canal and 47th avenue (Block No. 21, Lot No. 1, and Block No. 22, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 1773-40, dated April 18, 1940, reads:

"Objection No. 10 repeated:

Submit Board of Standards and Appeals approval of 'Transite' siding for a fire-resistive rating of three hours.

Objection No. 13:

Due to boiler pressure of 125 lbs., the enclosure of boiler room shall comply with Sec. 11.1.4.1 N.B. Code."

and

WHEREAS, the premises are located in an unrestricted use district and consist of a plot 752 ft. by 786 ft., irregular in area, upon which it is proposed to erect a one (1) story building, 30 ft. in height, 47 ft. 6 in. by 97 ft. in area, of Class 5 construction, to be occupied as a boiler room; and

WHEREAS, the applicant contends that the proposed structure will replace one of a combustible nature which is being occupied for the same purpose; that the new building will be constructed of incombustible materials throughout, namely corrugated "Transite" siding on steel frame with concrete slab roof surfaced with built-up roofing; that the boiler pressure will be approximately 125 lbs.; that the building in question will be isolated from dwellings or other occupied structures and does not present a hazard.

Resolved, that the decision of the borough superintendent be and it hereby is *modified*, as to N.B. Applic. No. 1773-40, Objections 10 and 13, and that the appeal be and it hereby is *granted* so as to permit the construction of the proposed boiler room building, as indicated on plans filed with this appeal, to replace the existing wood frame structure of a larger size, which is to be entirely removed; that the steel columns supporting the roof shall be fireproofed and no buildings or combustible material shall be constructed or allowed to exist within 50 feet of any portion of the boiler-house building in question; that the boiler-house shall be used solely for housing a boiler; that this modification shall be permitted for a term of five (5) years from the date of this resolution.

345-40-A.

APPLICANT—James Flomp, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—116-15 Marsden street, north side, 111.54 ft. east of 116th avenue (Block No. 3097, Lot No. 42), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James Flomp.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(345-40-A)

WHEREAS, James Flomp, owner, filed April 5, 1940, an appeal from a decision of the borough superintendent of buildings; premises 116-15 Marsden street, north side, 111.54

ft. east of 116th avenue (Block No. 3097, Lot No. 42), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 9203-38, dated March 7, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Art. 1 and 2 of the Code."

and

WHEREAS, the building is one story (12 ft.) in height, 18 ft. by 18 ft. 6 in. in area, of Class 4 construction, erected in June, 1938, an occupied as a two-car garage; and

WHEREAS, the applicant contends that at the time of the erection of the building in 1938, he was not aware of the fact that the premises were located in a residence use district; that there are only two houses on Marsden street, which is a dead end street; that the street is ungraded and is unimproved.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 9203-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the garage building shall comply with all requirements therefor for similar building constructed outside the fire limits, and *granted* only so long as the building is used as an accessory to the single family house on the lot and does not accommodate more than two motor vehicles.

376-40-A.

APPLICANT—H. E. Horwood, for Pearl N. Heimowitz, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—113 Ludlow street, west side, 161 ft. 1 in. north of Delancey street (Block No. A10, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: H. E. Horwood.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(376-40-A)

WHEREAS, H. E. Horwood, for Pearl N. Heimowitz, owner, filed April 11, 1940, an appeal from an order and a decision of the fire commissioner; premises 113 Ludlow street, west side, 161 ft. 1 in. north of Delancey street (Block No. A10, Lot No. 24), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 1981-LF, dated August 13, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26 Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 12, 1940; and

WHEREAS, the building is three stories (36 ft.) in height, 20 ft. 4½ in. by 84 ft. in area at first floor, 20 ft. 4½ in. by 42 ft. 6 in. in area at typical floor, of Class 3 construction, located in an unrestricted use district, erected prior to 1912 and occupied: cellar, storage of toys, no persons; first story, storage and sale of toys, 5 persons; second story, dwelling, 1 family; third story, dwelling, 1 family; and

WHEREAS, the applicant contends that the building has been used (as at present) for more than 25 years past and no question has ever been raised by the fire department as to its safety protection; that the entire cellar is less than 1,700 sq. ft. in area and there are two windows, each 3 ft. by 7 ft. at the rear of same which were formerly boarded up but which are now arranged in good working order for ventilation; that there is a large opening to a sidewalk elevator at the front with iron trap doors and that in addition, an iron

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stairway from the front areaway to the cellar which would allow ample facility for the fire department in case of need, can be provided.

Resolved, that the order of the fire commissioner, No. 1981-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that all fittings and hangers shall be of malleable iron; that the automatic alarm need not be installed; that there shall be a single hose inlet located on the street front not less than 10 inches above the sidewalk; that the cap of the hose inlet shall have a sign specifying the area covered and shall be painted aluminum; that if this sprinkler system is installed in accordance with this resolution, the proposed additional stair from cellar to street need not be installed; that in all other respects the building and occupancy shall comply with all laws, regulations and rules applicable thereto.

392-40-A.

APPLICANT—George H. Cohn, for Cities Service Oil Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner re: Transportation, storage and sale of combustible mixture known as "Cisco Solvent" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: George H. Cohn.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(392-40-A)

WHEREAS, George H. Cohn, for Cities Service Oil Company, owner, filed April 15, 1940, an appeal from a decision of the fire commissioner relating to the transportation, storage and sale of a combustible mixture known as "Cisco Solvent" in cans of a capacity not exceeding five quarts of a type which does not comply with section C19-62.0-b of the Administrative Code; and

WHEREAS, the decision of the fire commissioner, dated April 15, 1940, reads:

"Responding to your favor of April 12th, 1940, in reference to the product known as 'CISCO SOLVENT' be advised that this department disapproves all cans or containers used for the packing and shipping of combustible mixtures other than the type specified and provided for in C19-62.0-b of the Administrative Code of the City of New York for the reason that

Combustible mixtures shall be packed and shipped in cans of a capacity not exceeding five gallons each; can to be fitted with a tight fitting replaceable top, cap or otherwise so that the cans shall be airtight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five gallons each."

and

WHEREAS, the applicant contends that "Cisco Solvent" is a crank case cleaning preparation which will be packed in five quart containers of the solid type; that these containers are of a capacity which will require that they be used completely in one operation for the flushing of crank case of motor vehicles; that "Cisco Solvent" is combustible and is a product of automotive lubricating oil which is packed in the same manner.

Resolved, that the decision of the fire commissioner, dated April 15, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the material shall be marketed in cans of not over 5 quarts capacity, and without a replaceable top; that there shall appear on each can, a prominent notice reading, "Upon

opening remove entire contents at once"; that such notice shall have white letters on a fire department red background or fire department red letters on a white or aluminum background, and that this product shall not be sold for home use.

409-40-A.

APPLICANT—George Karopoulos, for Wilgate Holding Corporation, owner (Christopher Diner, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—201-26 Northern boulevard, southwest corner of 202nd street (Block No. 5523, Lot No. 28), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: W. E. Kennedy and H. Burne.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(409-40-A)

WHEREAS, George Karopoulos (Christopher Diner, Inc., lessee), for Wilgate Holding Corporation, owner, filed April 18, 1940, an appeal from a decision of the borough superintendent of buildings; premises 201-26 Northern boulevard, southwest corner of 202nd street (Block No. 5523, Lot No. 28), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2313-40, dated April 10, 1940, reads:

"1. Frame construction in the Fire Limits or for commercial use is prohibited by the Code (sec. 4.1.2)." and

WHEREAS, the building will be one story (13 ft.) in height, 14 ft. by 52.8 ft. in area; of Class 3 and 4 construction; located in a business use D area district and to be occupied as a dining car; and

WHEREAS, the applicant contends that the proposed diner will be mainly constructed of steel and porcelain, the only exception being the roof, which is of non-fireproof construction, covered with tin and the beams which are in the car, and which form a very small part of the construction; that the proposed location is sparsely settled; that no buildings will be adjacent to the building in question.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 2313-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the construction of the diner, as indicated on plans filed with this application, *on condition* that the building of proposed construction, shall not be further extended, and *granted* only so long as the building is used as proposed; that in all other respects the requirements of the building code shall be complied with, including C26-522.0 (8.6.2.10), pertaining to structural steel.

308-40-A.

APPLICANT—John E. Lane, for Shore Homes Developers, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to the Calendar—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

APPEARANCES—

For Applicant: John E. Lane.

ACTION OF BOARD—Appeal reopened and restored to Calendar, and set for hearing April 30, 1940, at 2 P.M.

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THE VOTE TO REOPEN AND RESTORE TO CAL- ENDAR—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

VARIATIONS OF THE LABOR LAW.

296-40-S.

APPLICANT—Lama and Proskauer, for Henry G. Pape,
owner.

SUBJECT—Appeal from a decision of the Board of Health,
Department of Health.

PREMISES AFFECTED—270 Jamaica avenue, south side,
56 ft. 9½ in. east of Hendrix street (Block No.
3919, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Administration: Inspector Langhamer, Depart-
ment of Health.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

THE RESOLUTION—

(296-40-S)

WHEREAS, Lama and Proskauer, for Henry G. Pape,
owner, filed March 21, 1940, an application for a variation
from the requirements of the labor law, as cited in a decision
of the Board of Health, Department of Health; premises
270 Jamaica avenue, south side, 56 ft. 9½ in. east of Hen-
drix street (Block No. 3919, Lot No. 13), Borough of
Brooklyn; and

WHEREAS, the decision of the Board of Health, on Applic.
No. 4157, dated February 27, 1940, reads:

"At a meeting of the Board of Health of the Depart-
ment of Health of The City of New York, held Febru-
ary 27, 1940, your application for a sanitary certificate
for a cellar bakery at 270 Jamaica avenue, in the Bor-
ough of Brooklyn, was denied."

and

WHEREAS, the building is two stories (24 ft.) in height,
14 ft. 11 in. by 90 ft. in area; of Class 4 construction;
located in a residence and business use district; erected
prior to 1915, and occupied: cellar, bakery; first floor, store;
second floor, dwelling, one family. The cellar is ventilated by
means of a skylight, exhaust fan and windows. The cellar
floor is 4 ft. 3½ in. below curb and the clear height from
floor to ceiling is 8 ft. 1 in.; and

WHEREAS, the applicant contends that under Alt. Applic.
No. 3126-33 the building was altered and approval secured
for a portable oven, and the Health Department issued a
permit for this occupancy believing that the oven was located
on the first floor; that in April, 1939, the present occupant
applied for a permit in his name, and said application was
denied on the grounds that this was a cellar bakery; that in
July, 1933, a survey showed that in the rear there actually
was a basement and not a cellar, as the ground sloped down-
wards from Jamaica avenue to Atlantic avenue; that in view
of the facts that the permits were previously issued and no
violations existing, it is respectfully requested that the
variation be granted.

Resolved, that the Board of Standards and Appeals does
hereby make a variation in the requirements of the Labor
Law, as cited in a decision of the Board of Health of the
Department of Health, on Applic. No. 4157, and that the
application be and it hereby is granted to permit the con-
tinuance of the existing cellar bakery as shown on plans
filed herewith, on condition that the general maintenance of
the plans shall be to the satisfaction of the Commissioner of
Health, and that the existing ventilating equipment shall be
maintained; and granted only so long as the bakery is op-
erated in conjunction with a store on the ground floor, pur-
veying food products consumed on and off the premises;

that in all other respects the building and occupancy shall
comply with all laws, rules and regulations applicable
thereto.

382-40-S.

APPLICANT—McDowell Sprinkler Corporation, for
Charles Pfizer and Company, Inc., owner.

SUBJECT—Variation of the Labor Law as cited in orders
and a decision of the fire commissioner.

PREMISES AFFECTED—1-11 Bartlett street, north side,
88 ft. 6 in. west of Harrison avenue, and 639-641
Flushing avenue (Bldg. No. 6); (Block No. 2268,
Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. J. Dent.
For Administration: Thomas A. Larkin, Fire De-
partment.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief
McCarthy 4
Negative 0

THE RESOLUTION—

(382-40-S)

WHEREAS, McDowell Sprinkler Corporation, for Charles
Pfizer and Company, Inc., owner, filed April 11, 1940, an
application for a variation from the requirements of the labor
law, as cited in orders and a decision of the fire commis-
sioner; premises 1-11 Bartlett street, north side, 88 ft. 6 in.
west of Harrison avenue, and 639-641 Flushing avenue
(Bldg. No. 6); (Block No. 2268, Lot No. 1), Borough of
Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 4380-
LF, dated March 8, 1940, reads:

"An inspection of the premises 1-11 Bartlett St. Bldg.
No. 6 Borough of Brooklyn shows that a fire drill
should be established and maintained therein according
to the requirements of Section 279 of the Labor Law."

and

WHEREAS, the order of the fire commissioner, No. 4381-
LF, dated March 8, 1940, reads:

"1. Install an adequate interior electric fire alarm
system in accordance with the rules of the Board of
Standards and Appeals, and the enclosed approved lay-
out. Section 279 of the Labor Law."

and

WHEREAS, said orders were referred to in a decision of the
fire commissioner, dated March 28, 1940; and

WHEREAS, the building is three stories (36 ft. 6 in.) in
height, 174 ft. by 60 ft. irregular in area; of Class 3 con-
struction; located in an unrestricted use district; erected
prior to 1900, and occupied: first floor, packing, 22 persons;
second floor, office, 36 persons; third floor, storage of cartons,
2 persons. The means of egress consist of two interior stairs
of wood construction, enclosed in wood lath, and plaster
partitions with wood doors at openings. The roofs of the
adjoining buildings are at the same level; and

WHEREAS, the applicant contends that the building in ques-
tion is part of a large plant all the buildings of which are
now being sprinklered; that the work will be completed
within two months; that these sprinklers will be supplied
by two independent sources, one being taken from the City
main on Harrison avenue, and the other from the City main
on Flushing avenue; that it would be a hardship to compel
the owner to install the fire alarm system in this building at
this time, when such fire alarm system will not be required
under section 279, paragraph 3 of the labor law when the
sprinkler system is completed.

Resolved, that the Board of Standards and Appeals does
hereby make a variation in the requirements of the labor
law as cited in orders of the fire commissioner, Nos. 4380-
LF and 4381-LF, and that the application be and it hereby
it granted on condition that there shall be a two-source
sprinkler system installed throughout the building complying
with the requirements of the Sprinkler Rules of the Board

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of Standards and Appeals, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCES SUBMITTED FOR APPROVAL.

1193-21-SA.

APPLICANT—Quimby Pump Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Quimby Screw Pump additional models, sizes 2 in. to 8 in., inclusive (sizes 2½ inch and 4½ inch, previously approved).

APPEARANCES—

For Applicant: H. J. Callahan.

ACTION OF BOARD—Application reopened and referred to the Engineer of the Board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

102-40-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Water Heater, Type 60B, Models 60B4 and 60B5, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(102-40-SA)

WHEREAS, the applicant requested that this application be withdrawn in view of the action by the Board in amending the resolution adopted under Cal. No. 121-35-SA.

Resolved, that the application be and it hereby is withdrawn.

121-35-SA.

APPLICANT—Timken Silent Automatic Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re approval of additional name "Carrier Water Heater, Type 60B, Models 60B4 and 60B5"—re Timken Silent Automatic Water Heater, Models 40-A and 50-B (Water Heating Units), previously approved.

APPEARANCES—

For Applicant: M. B. Ellis.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(121-35-SA)

WHEREAS, Thomas F. Leonard, for Timken Silent Automatic Company, owner, filed May 15, 1935, an application with the Board of Standards and Appeals for approval of the device known as the Timken Silent Automatic Water Heater, Models 40-A and 50-B (Water Heating Units); and

WHEREAS, the device was submitted to the engineer of the Board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the Board and of the representatives of the bureau of combustibles, approved

by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

"The burner tested was installed in a unit heater and is of the Rotary Mechanical Draft Gravity Feed Type. The burner consists of the following parts:

A General Electric 1/200 H.P. Motor which drives the air disperser and distributor head. The oil is picked up and dispersed at the rim of the rotary plate. Ignition—is electric, a Dongan Transformer being used. The oil flow is regulated by a Detroit Lubricator Constant Level Valve—CRC-500. A thermostatic control manufactured by the Russell Electric Company regulates the heat. When the water temperature reaches 165° F. the oil supply is shut off. A remote control is also installed for shutting off the burner in cases of emergency.

The burner is also designed for use and installation in small types of hot water stoves and heaters.

The controls were tested for a period of about forty minutes and they operated properly and prevented the flooding of the burner with oil. The Aquastat was tested and the temperature of the water did not rise above 165° F., indicating proper functioning of controls.

The difference between the Model 40-A and 50-B is in the application of the burner, the Model 40-A is a self-contained burner and boiler unit, while the Model 50-B is the same burner as used with small stoves and heaters.

As a result of this inspection and test it is recommended that the Timken Silent Automatic Water Heater, Models 40-A and 50-B, be approved for domestic use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals June 15, 1934, with fuel oil not heavier than No. 2."

and

WHEREAS, this heater was approved by the Board May 18, 1935, and owner requested permission to market the heater under the names "Carrier Water Heater 60B4 and 60B5.

Resolved, that the resolution adopted by the Board on June 18, 1935, be and it hereby is amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as Timken Silent Automatic Water Heater, Models 40-A and 50-B (Water Heating Units), for domestic installation, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use with fuel oil not heavier than No. 2, on condition that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. No. 121-35-SA.

Resolved, further, that this appliance may be marketed under the name 'Carrier Water Heater, 60B4 and 60B5' on condition that under whichever name marketed the requirements of this resolution shall be complied with."

1133-39-SA.

APPLICANT—Micro-Westco, Incorporated, owner; Lloyd S. Knight, agent.

SUBJECT—Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

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THE RESOLUTION—

(1133-39-SA)

WHEREAS, Lloyd S. Knight, agent for Micro-Westco, Incorporated, owner, filed September 15, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

April 20, 1940.

Cal. No. 1133-39-SA.

Subject: Approval of the Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2.

Lloyd S. Knight, agent for the Micro-Westco, Incorporated, owner, filed September 15, 1939, an application with the Board of Standards and Appeals for approval of the Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2, under the provisions of C19. Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

For the purpose of the test, the Model G2 was set up in an ordinary type domestic steam boiler.

These oil burners are identical in operation and principle to the Bettendorf burners already approved.

These burners are of the pressure atomizing gun type and the one under test was assembled as follows: A Century $\frac{1}{8}$ horsepower motor; a Webster two-stage fuel unit, consisting of regulating valve, pump and strainer; a Monarch nozzle, with a capacity of 1.35 to 2.5 gallons per hour, and a Sirocco type fan.

Ignition: Electric, Jefferson transformer.

Controls: Standard Minneapolis Honeywell. Controls consist of a Protectorelay R 117A; Pressuretrol L-404, and for use with hot water heating systems, an Aquastat.

The following list of models shows the size of the nozzle and horsepower of the motor:

Fuel Capacity

Model G1— $\frac{7}{8}$ of a gallon to 2 gallons—H.P. $\frac{1}{8}$

Model G2—1.35 gallons to 2.5 gallons—H.P. $\frac{1}{8}$

Model D3—2.5 gallons to 4.5 gallons—H.P. $\frac{1}{6}$

Model MV1— $\frac{7}{8}$ of a gallon to 2 gallons—H.P. $\frac{1}{6}$

Model MV2—1.65 gallons to 4.5 gallons—H.P. $\frac{1}{6}$

Model HD2—5 gallons to 10 gallons—H.P. $\frac{1}{3}$

With the oil supply shut off the burner was put into operation and the controls functioned, on two successive tests, and shut the burner down in 71 and 73 seconds respectively.

The burner was then put into normal operation and during the period of the tests the flame was clear and free from smoke.

Examination of the combustion chamber showed no undue carbon deposits.

These burners only differ from the ones already approved in the fact that the cast iron parts are now die cast. These burners are designed for use with Nos. 1, 2 and 3 commercial grades of fuel oil.

The inspection and test were made in the presence of representatives of the owner and of the Committee on Tests of the Board and fire department.

These burners have been approved by the Underwriters' Laboratories, File No. MP 406. As a result of this inspection and test it is recommended that the Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2, be approved for use in New York City in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Department of Commerce standards, on condition that the burner be installed in accordance with the Oil Burner Rules of the Board of

Standards and Appeals and that the burner bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1133-39-SA."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2, on condition that the appliance be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

129-40-SM.

APPLICANT—General Ceramics Company, owner.

SUBJECT—Belmont G-211 Water Closet Combination, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(129-40-SM)

WHEREAS, General Ceramics Company, owner, filed January 31, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Belmont G-211 Closet Combination; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 129-40-SM.

Approval of Belmont G-211 Water Closet Combination.

The General Ceramics Company, owner, filed January 11, 1940, an application with the Board of Standards and Appeals for approval of the Belmont G-211 Water Closet Combination under the provisions of C26-1277.0 (14.8.2.1) Administrative Building Code.

The G-211 General Ceramics "Belmont" Vitreous China Free Standing Two-Piece Coupled Closet Combination consists of a syphon action reverse trap bowl with self-draining jet and extended rear shelf. Vitreous china tank of six gallons maximum supply and four and one-half gallons to overflow equipped with Scovil approved anti-syphon ballcock.

This water closet combination was inspected and tested at the General Ceramics Plant at Metuchen, New Jersey, and found to flush satisfactorily with both newspaper and tissue.

On the basis of the test it is recommended that the General Ceramics "Belmont" G-211 Water Closet Combination with tank equipped with approved Scovil anti-syphon ballcock, be approved for use in New York City, on condition that the device has a label permanently affixed reading: "Approved by the Board of Standards

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and Appeals for use in New York City under Cal. No. 129-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Belmont G-211 Water Closet Combination, on condition that the material be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

250-40-SM.

APPLICANT—National Carbide Corporation, owner.

SUBJECT—National Carbide V-G Light, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(250-40-SM)

WHEREAS, National Carbide Corporation, owner, filed March 6, 1940, an application with the Board of Standards and Appeals for approval of the material known as the National Carbide V-G Light; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 250-40-SM.

Subject: National Carbide V-G Light, approval of.

The National Carbide Corporation, owner, filed March 6, 1940, an application with the Board of Standards and Appeals for approval of the National Carbide V-G Light under the provisions of C19.92.0 Administrative Code.

This light consists of a calcium carbide hopper, a water compartment and a pipe leading from the gas chamber to a burner where the acetylene gas is burned, giving off light.

The water chambers and carbide hoppers are constructed from pressed steel drawn from open-hearth box-annealed deep drawing stock, tinned on both the interior and exterior surfaces. The only opening in the water or generating chamber is sealed by a special rubber gasket, affording a gas-tight point. Lights are designed with the greater part of their weight resting directly on the ground, making it difficult to over-turn them.

The carbide is kept in separate upper chamber and automatically fed into the water in the lower chamber by a feed plunger, as required to maintain a steady flame.

These lights are self-contained units, and are gas-tight, and water-tight. They are so designed that the carbide and water will not come in contact with each other if over-turned.

In operation, a small quantity of carbide is dropped into the water to maintain a steady even flame of constant, clear bright light, free from vapor.

The release of the Control Handle allows the Pressure Spring to act on the Diaphragm, which in turn, carries the Feed Plunger down to the carbide feeding

position. The gas pressure then acts against the diaphragm causing the feed to close off when sufficient gas is made to supply the burner. The reciprocating feeding action then becomes entirely automatic and gas is only made in quantity required for burner supply. When needle valve is closed and the flame extinguished while the generator is in operation, the generation of gas immediately ceases, even if the control handle is left in the operating position.

The gas is screened through a cloth filter, to prevent dust particles from clogging the burner. Replacements are infrequently required and may be quickly effected by simply unscrewing the filter plug.

The normal working pressure is about two pounds. Gas pressure slightly above that amount will cause the control handle to lock automatically in the shut-off position. The light was inspected and operated in the office of the Board and found to operate satisfactorily.

It is recommended that the National V-G light be approved for outdoor use in New York City on condition that a fusible plug be provided for the water chamber and that the apparatus bear a label reading, "Approved by the Board of Standards and Appeals for outdoor use in New York City, under Cal. No. 250-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the National Carbide V-G. Light, on condition that the material be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report and that this material shall not be installed indoors except in a location approved by the fire commissioner.

APPEAL FROM ADMINISTRATIVE DECISION.

412-40-A.

APPLICANT—George M. Malcolm, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—44 Murray Hulbert avenue, northwest corner of Hannah street (Block No. 487, Lot No. 206), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Arthur A. Graves and George H. Holland.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(412-40-A)

WHEREAS, George M. Malcolm, for Department of Public Works, City of New York, owner, filed April 19, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises 44 Murray Hulbert avenue, northwest corner of Hannah street (Block No. 487, Lot No. 206), Tompkinsville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent of

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buildings, on N.B. Applic. No. 64-40, dated March 25, 1940, reads:

"1. The application of Code Section C26-248.0, sub-div. 5, to permit the wood frame structure is doubtful, as follows:

- (a). It was meant to apply to a country club house.
- (b). The Drill Hall is a 'place of assembly'; it can hold 460 people.
- (c). The total 1st floor area is about 7,500 sq. ft.
- (d). The use is not 'social' or 'recreational' but war training.
- (e). Not 30' from nearest boundary line of plot.
- (f). Application does not mention above Section.

DIVISION WALL as a Fire Wall (to permit the wood Const.)—

2. Not of material and thickness required by Sect. C26-631.0.

3. Not 3 ft. above roof. Required by Sect. C26-632.0.

4. 2 openings with 3' ea. other contrary to (C26-660.0)

5. Openings not protected by 3 hr. F.R. assemblies (C26-660.0)

6. Excessive unbraced height and length.

7. Pier 8" x 12", not of solid masonry. (C26-415.0)

8. Lintels not designed.

DRILL HALL—

9. Cinder block walls not increased in thickness a/c span over 26' (C26-427.0)

(Note: Min. thickness of hol. blocks is 10" (C26-431.0.g).)

10. Cinder block walls not protected by 1" in P.C. stucco. (Condition of Approval).

11. Wherever 'Cinder Blocks' are mentioned, add 'Approved'.

12. Buttresses under trusses are inadequate because:

(a). Excessive tension in section of side walls between openings, due to wind figured as per Sec. C26-351.0.

(b). A buttress projection, converted to a uniform increase of 14' of wall, adds only 2.3" to thickness.

(c). Not of 'solid masonry'.

(NOTE: The side buttresses are 24" x 24" @ 14'-2" cets., on Truss Dwgs.)

13. Excessive tension in West wall from wind; wall and buttresses not thick enough.

14. No templates under roof purlins. (C26-431.O.F.)

15. Lintels not designed.

16. Girder under 'Bridge' not of sufficient strength; not bolted. (C26-528-0.f.)

17. Posts and post footings, under Bridge girder, not shown.

(Will 'Bridge' be used by spectators?)

18. Construction of coal bin partition to resist coal pressure, not shown.

(State height of coal or No. of tons.)

19. Wood Cornices. (C26-682.0).

20. Construction of Bridge railing and how secured, not shown.

21. No access to roof, under 20°. (C26-677.0).

22. Number of occupants not stated on Plan. (C26-268.0).

23. No mechanical ventilation, as per Index. (C26-266.0).

24. No EXIT signs. (C26-279.0).

25. Any Ceiling? If so, show kind, how hung.

26. Discrepancy between Plan & Elevs. as to width of masonry between openings at ends of Bridge; no dimension on Plan.

27. How will gap at top of side walls be fire-stopped?

TRUSSES—

28. Purlins weak.

29. Nailing of purlins to trusses is inadequate for bracing of top chords, and to prevent tipping.

30. Nailing of top chord members together is inadequate, and contrary to Sec. C26-528.0.f.; the members may act separately, therefore, very weak.

31. Lower part of top chord, as a solid post, is about 8% scant.

32. Bottom chord is weak in tension at end notches.

33. End joints weak in horizontal shear (@ 70 lbs. per sq. in.).

34. Excessive compression on cinder blocks under bear plates.

35. Middle tie rod, not upset, is weak; washers too small.

36. No sway braces between trusses, on vertical plans.

37. Rafters should be tied together over ridge (a/c no sag rods).

WOOD FRAME PARTITION.

CONSTRUCTION—

38. No longitudinal Section 'A-A'.

39. No Cross Section 'B-B'.

40. Run, etc. of 2nd flr. & Attic beams not shown on Plans.

41. If run as per Wall Sect. A-A, some will be very weak.

42. 4" cinder block partitions indicated as bearing partitions.

43. No details as to construction of stud bearing partitions.

44. Headers over triple and double windows, weak.

45. Corner bracing not shown.

46. Sills not shown. Ribbon strip not shown.

EGRESS—

47. Partitions enclosing stairs and stairhalls, 1st and 2nd stys., not 1 hour F.R. Construction; doors not ¾ hr. F.P.S.C. (C26-292.0) (6.4.1.8.1.), (c), (d). C26-636.0 11. b;) C26-610.0. C, as to doors.

48. 2nd story stairhall floors not protected by F.R. ceilings and firestopping. 2nd sty. ceiling not 1 hr. F.R.

49. Closet under stairs. (C26-292.0 (6.4.1.13)m.2)

50. Handrail 1 side only on 1st Floor Plan.

51. No EXIT sign to front doorway. (C26-279.0).

52. No ladders to roof; no scuttle in roof. (C26-292.0 (6.4.1.11).3. and C26-677.0).

53. 1st Floor locker room (122 lockers) has only 1 doorway, and that not to an exit. (C26-273.0 (6.1.2.2.1), 1. (a)).

54. 2nd story exterior wall at stairway not 1 hour F.R. const.; not fire stopped; window not ¾ hr. F.R. assembly.

55. No information as to strength of stair const. for 100 lbs. L.L. (6.4.1.7.2)

56. Dimensions of stair treads and risers not given. (C26-294.0 (6.4.1.4).d)

57. Boiler room ceiling not fire-resistive. (C26-693.0. (11.1.4.4).d.2)

58. Vent shaft from Boiler Rm. not 3 hr. F.R. Const. (C26-638.0).

59. Vent shaft from Boiler—top not 3 hr F. R. Const (C26-641.0).

60. D.W. enclosure mainly of combustible materials; doors not. S.C.F.R.

61. Wood studs and furring against chimney, 2nd sty. (11.3.8.15).

62. Exterior stud walls not firestopped. (C26-535.0).

MISC.

63. N. C.O. Door at boiler flue. (C26-710.0). a. 3.

64. No fresh air supply for boiler room (C26-694.).

65. Location of boiler and smoke pipe not shown.

66. Location of kitchen range, kind of fuel, and ventilation, not shown. (C26-696.0) and (C26-712.0).

67. Number of occupants each room not stated. (C26-268.0).

68. No mechanical ventilation. (C26-266.0).

69. Mark kind of wall and ceiling finish, 1st story.

70. Add 'Approved F.R.' wherever 'Roofing' occurs. Mark kind of roofing on flat roofs. (C26-605.0).

NOTE: Foregoing Objections are made on the Plans, received by me 3-21-40.

Following Objections are made on the Specific, received by me 3-26-40.

3-27-40

A.B.C.

MINUTES

SPECIFICATIONS—

71. Hollow blocks filled at job with concrete, 'are not to be considered as solid masonry.' (Office Ord. No. 21, dated 4-1-38).

72. Sills 4" x 4", contrary to Code, Sec. C26-538.0.

73. Corner Posts 4" x 4" contrary to Code, Sec. C26-538.0.

74. Fill in as to plates, studding, type of frame, kind of wood; Add 'Approved' for Roofing and Cinder Blocks.

75. What is meant by 'temporary structure,' (under Remarks)?

State period of maintenance; will it be removed at end of that period? (C26-542.0).

76. The wood frame construction is contrary to height and area limits (1 story 600 sq. ft.) in Table under Code Sec. C26-254.0. It is not a 'temporary wood frame structure', as defined in Sec. C26-151.0; and the construction if of permanent types. Sec. C26-248.0 is not literally applicable (See obj. No. 1). Therefore there appears to be no Building Code provision under which such a structure (the wood frame part) may be lawfully erected. The lawful remedy is an appeal to the Board of Standards and Appeals.

NOTE: Examination of Plans not completed on account of insufficient information, especially as to roof and floor framing and interior supports for the frame structure."

and

WHEREAS, the proposed building is to be of brick and frame construction, two stories in height, 60 ft. by 146 ft. in area, to be occupied as a naval training station.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 64-40, Objections Nos. 1 (subdiv. b, c and e), 3, 6, 9, 10, 11, 12, 13, 19, 23, 68 and 76, be and they hereby are modified, and that the appeal be and it hereby is granted on condition that the building shall be constructed substantially as shown on plans filed with the borough superintendent and for the purposes as set forth, for a term of not over two (2) years from the date of completion of the building; that the building shall be located not nearer to the adjoining lot lines than as indicated on diagram filed with the application; that the piers for supporting trusses and curtain walls between piers shall be constructed substantially as shown, provided the piers are constructed of physically solid masonry units; that the fire wall between the drill hall and wood frame portion may be constructed substantially as shown, provided the wall is buttressed similarly to the west wall and may terminate at the under side of the roof boarding, provided it is fire-stopped at the roof with incombustible materials; that the exterior surface of the concrete block walls shall be protected with portland cement waterproof stucco not less than ½ inch in thickness, applied as two coats; that masonry units shall be as approved by the Board, unless specifically approved by the borough superintendent for this specific building, as complying, after test with the requirements of the building code; that the wood cornice around drill hall shall not extend beyond the face of masonry units for a distance not exceeding 6 inches; that no mechanical ventilation need be furnished, provided natural ventilation is provided by means of exterior windows, as shown; that the roofing shall consist of a covering over sheathing of asbestos felt not less than 15 lbs. per square and cap sheet not less than 90 lbs. per square and impregnated with mineral surfacing; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Recessed at 4:15 P.M. to Wednesday April 24, 1940, at 2 P.M.

Reconvened Wednesday, April 24, 1940, at 2 P.M., adjourned 4:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on November 14, 1939, as they appeared in Bulletin No. 47, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(103-31-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles, affecting premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Cutlbert place); (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens, was granted by the Board June 24, 1932; and

WHEREAS, Lama and Proskauer, for Aljac Garage and Repair Shop, Incorporated, owner, requested a reopening of this application to permit the extension of the gasoline station in this garage; and

WHEREAS, this application was reopened by vote of the Board February 28, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metropolitan avenue is in a business and unrestricted use district; 124th place is in a business and residence use district; 125th street is in an unrestricted and business use district, and Abington road is in a residence use district; and

WHEREAS, the decision of the borough superintendent, Application No. 9904-1939, dated April 21, 1939, reads:

"The extension of a gasoline service station in a business district is contrary to Art. 2, Section 4 of Zone Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 98.22 ft. and a maximum depth of 124.86 ft.; upon the easterly frontage of the plot there is a one-story garage for more than five (5) motor vehicles and a gasoline service station; on the westerly portion of the plot there is a garage for more than five (5) motor vehicles (previously granted by the Board); it is proposed to remove and relocate part of the street wall of the westerly garage and to occupy the resulting area as a gasoline station in conjunction with the existing gasoline station in the easterly portion of the plot; and

WHEREAS, this application was granted under section 7g of the building zone resolution on June 24, 1932 (not under section 21 as stated in the resolution printed in Bulletin No. 27, Vol. 17); and

WHEREAS, the application has been made for permission to extend the gasoline selling alcove now existing on the adjoining garage to the east and to construct an alcove for lubrication, as indicated on revised plans marked "Received April 26, 1939," and to remove the existing gasoline pumps and erect one pair of pumps on one foundation not nearer than 10 ft. from the street building line; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 24, 1932, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted for a one-story building above grade with a frontage of 48 ft. on Metropolitan avenue, on condition that the westerly wall of the proposed building

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shall be not less than 20 ft. east of Cuthbert place and said wall and rear wall shall be unpierced throughout their entire height and length, any openings therein to be filled in solidly with masonry of the same thickness as the wall now existing; that the front elevation shall be of face brick with architectural terra cotta or natural stone trim; that any servicing of cars in this building shall be by hand only; there shall be no advertising signs of any nature or description on this building advertising the non-conforming use of same; there shall be no portable gasoline tanks operated or maintained outside the building line of the premises under appeal; any skylights shall be glazed with plain glass, protected with wire guards above and below, and *granted on the further condition* that the corner property now in the ownership of the applicant, *namely, Lot No. 184, with the approximate dimensions of 20 ft. on Metropolitan avenue and 99 ft. on Cuthbert place (124th place)* shall be maintained or developed with a conforming use.

Resolved further, that the front wall of the building may be set back so as to form an extension of the

gasoline selling alcove in connection with the adjoining garage to the east under the same ownership and to form an alcove for lubricating racks, substantially as indicated on plans marked 'Received April 26, 1939,' *on condition* that no gasoline pumps in any part of the gasoline selling alcove shall be erected nearer than 10 ft. to the street building line and that the building shall not be increased in height or area; that in the wall opposite the proposed lubricating area, the sill of any show window shall be not less than 4 ft. above grade; that signs shall be restricted to permanent signs attached to the garage and to the illuminated globes of the gasoline pumps and to a bracket sign attached to the building advertising the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that in the event the proposed extension is constructed, all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

* *Correction—As printed in italics, starting with line 83 of resolution.*

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

PUBLIC HEARING

PROPOSED RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

[Cal. No. 294-40-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 3, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Tests of Fire-Resistive, Flameproofed Materials, such as Textiles, Paper, Similar Materials and Adhesives used for Decorative Purposes, Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drape, curtain and scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire in accordance with the requirements of the commissioner, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate, C19-161.1 except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 2 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall

be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—

Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ¾-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

(Cal. No. 1-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 17, 1940, at 10 A.M., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

NOTE—New matter in *italics*; old matter in brackets [] to be omitted.

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the *Borough* Superintendent. The *Borough* Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the *Borough* Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

- 3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the *Borough* Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the constructor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the *Borough* Superintendents. All certificates of qualification issued shall be uniform for the fire Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.
- 4.2.3 The *Borough* Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.
- 4.2.4 *Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year. Such record shall be on a form of certificate as approved by the Board of Standards and Appeals.*

Rule 5. Qualification Test for Welders.

- 5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the *Borough* Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City [may] *shall* be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and [if the operator is to perform overhead welding] two in the overhead welding position.
- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same *general* type of electrodes or welding rods as are to be used in the work for which the operator is being tested. [the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify]

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the *Borough* Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the *Borough* Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the *Borough* Superintendent.

- 9.1.1. *The Borough Superintendent may, in the case of minor welding operations, including stairs*

PUBLIC HEARING

and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 *The welder and the welds shall be protected by adequate covering against high winds, rain, snow or sleet.*

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature (of the base metal) is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld (over an area of 9 square inches) shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, [and] Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 *Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or seal, affixed by the standard Testing Agency or Inspection Agency, to the effect that these Rules have been complied with.*

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 19

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

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454-40-A.....H.B.Q.....North side of 63rd avenue, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street), N.B. 2231-40.

455-40-SM.....Flamex Fire Retarding Paint, manufactured by D. B. Skadden, Material.

456-40-BZ....H.B.M....2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan, Alt. 701-40.

457-40-A.....F.D.....512A Nostrand avenue, west side, from Macon street to Halsey street (Block No. 1843, Lot No. 20), Borough of Brooklyn, 83182-C.

458-40-A....H.B.Q.....32-05 214th place, east side, 218.72 ft. north of 32nd road, and 32-06 215th street, west side, 246.03 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street), N.B. 1127-40.

459-40-A.....H.B.Q.....32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street), N.B. 1128-40 and 1129-40.

460-40-BZ....H.B.Q.....68-12 Yellowstone boulevard, northwest corner of 68th road and west side of Yellowstone boulevard from 68th road to 68th avenue (Block No. 2137, Lot Nos. 27, 29, 31, 33, 35, 39 and 43), Forest Hills, Borough of Queens, N.B. 9468-39.

461-40-S.....H.B.B.....2712-2716 Church avenue, south side, 100 ft. west of Lloyd street (Block No. 5105, Lot No. 12), Borough of Brooklyn, Alt. 1203-40.

462-40-A.....F.D.....1537-1553 Bedford avenue, 402-408 Eastern parkway, southeast corner, and 1131-1139 Union street (Block No. 1267, Lot No. 1), Borough of Brooklyn, 4566-L.F.

463-40-S.....F.D.....312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn, Alt. 1428-40.

464-40-BZ....H.B.B.....79-81 Rogers avenue, east side, 95 ft. south of St. Marks avenue (Block No. 1226, Lot No. 1), Borough of Brooklyn, B.N. 18099-38.

465-40-BZ....H.B.Q.....118-60 Metropolitan avenue, south side, 180.14 ft. west of Lefferts avenue (boulevard); (Block No. 3322, Lot No. 25), Kew Gardens, Borough of Queens, Amendment to N.B. 2271-40.

466-40-BZ....H.B.Q.....118-11 84th avenue, northwest corner of Lefferts boulevard (avenue) and northeast corner of 118th street (Block No. 3322, Lot No. 135), Kew Gardens, Borough of Queens, Amendment to N.B. 7952-39.

467-40-A.....H.B.Q.....682 Woodward avenue, west side, 75 ft. south of Gates avenue (Block No. 3468, Lot No. 43), Ridgewood, Borough of Queens, Mise. Applic. 10229-39.

468-40-A.....F.D.....42-25 Vernon boulevard, northeast corner of 43rd avenue (Block No. 462, part of Lot No. 1), Long Island City, Borough of Queens, 83546-L.C.

469-40-BZ....H.B.Q.....224-14 Hempstead avenue, southwest corner of 225th street (Block No. 11159, part of Lot No. 43), Queens Village, Borough of Queens, N.B. 2533-40.

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- 470-40-BZ....H.B.M....4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan, Amendment to N.B. 12-40, tured by Armstrong Cork Company, Inc., Material.
- 471-40-BZ....H.B.Q....North side of 77th avenue, block front from Queens boulevard to 113th street (Block No. 2266, Lot No. 27), Forest Hills, Borough of Queens, Amendment to N.B. 5845-39, Armstrong's Linotile, manufactured by Armstrong Cork Company, Inc., Material.
- 472-40-BZ....H.B.Bx....Southeast corner of Holland avenue and East 213th street (Block No. 4660, Lot Nos. 18 and 19), Borough of The Bronx, Decision—re Zone Viol. 13-40, Armstrong's Temlok Insulating Lath, Insulating Board and Insulating Sheathing, manufactured by Armstrong Cork Company, Inc., Material.
- 473-40-SA.....Curtis Hydraulic Automobile Lift, Appliance.
- 474-40-SA.....Curtis Four Post Portable Electric Automobile Lift, Appliance.
- 475-40-BZ....H.B.M....35-37 Rutgers street, east side, 22 ft. south of Madison street (Block No. 271, Lot Nos. 26 and 27), Borough of Manhattan, Decision—re Certificate of Occupancy.
- 476-40-SM.....Armstrong's Armaflor and Armstrong's Linoflor (mastic), manufactured by Armstrong Cork Company, Inc., Material.
- 477-40-SM.....Armstrong's Linoleum, manufactured by Armstrong Cork Company, Inc., Material.
- 478-40-SM.....Armstrong's Asphalt Tile and Armstrong's Industrial Asphalt Tile, manufactured by Armstrong Cork Company, Inc., Material.
- 479-40-SM.....Armstrong's Cork Tile, manufactured by Armstrong Cork Company, Inc., Material.
- 480-40-SM.....Armstrong's Rubber Tile, manufactured by Armstrong Cork Company, Inc., Material.
- 481-40-SM.....Armstrong's Linowall, manufactured by Armstrong Cork Company, Inc., Material.
- 482-40-SM.....Armstrong's Linotile, manufactured by Armstrong Cork Company, Inc., Material.
- 483-40-SM.....Armstrong's Temlok Insulating Lath, Insulating Board and Insulating Sheathing, manufactured by Armstrong Cork Company, Inc., Material.
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- 487-40-BZ....H.B.Bx....2733 Morris avenue, southwest corner of East 196th street (Block No. 3317, Lot No. 36), Borough of The Bronx, Decision.
- 488-40-BZ....H.B.M....62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan, Alt. 1191-40.
- 489-40-SM.....Iron Clad Brick Cement, manufactured by Glens Falls Portland Cement Co., Material.
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- 517-39-BZ....H.B.Q....33-02 to 33-16 Astoria boulevard, southwest corner of 34th street, and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive, and Lot No. 30), Astoria, Borough of Queens, N.B. 5067-39.
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MAY 7, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution. *Tuesday morning, May 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1145-39-BZ—Application, September 18, 1939, under sections 7h and 21 of the building zone

resolution, of James B. Gilhooley, applicant, on behalf of Henry D. Bultman, owner, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 113-38-BZ—Application, February 23, 1938; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar March 12, 1940, under sections 7h and 21 of the building zone resolution, of Arthur Balley, applicant and lessee, on behalf of Keppler Company, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 163rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

CAL. NO. 85-39-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in the City of New York, owner, reopened March 19, 1940, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

CAL. NO. 370-40-BZ—Application, April 10, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Frank P. Mandel and James M. Brooks, owners, to permit in a residence use district and, also, "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution; premises 1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue "S" (Block No. 6827, Lot No. 33), Borough of Brooklyn.

CALENDAR

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 561-39-BZ—Application, May 3, 1939, under sections 7h and 21 of the building zone resolution, of J. Andre Foulhoux, applicant, on behalf of McGraw Hill Building Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

420-40-A—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 7, 1940, 2 P. M.

Appeals from Administrative Decisions.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

1339-39-A—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

378-40-A—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

308-40-A—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

374-40-A—1613-1633 Dean street, north side, 127 ft. 13/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

367-40-A—291 Thatford avenue, east side, 150 ft. north of Livonia avenue (Block No. 3577, Lot No. 10), Borough of Brooklyn.

380-40-A—390 Pearl street, east side, 20 ft. south of Oak street (Block No. 112, Lot No. 18), Borough of Manhattan.

450-40-A—241 West 72nd street, north side, 280 ft. 5 1/2 in. west of Broadway (Block No. 1164, Lot No. 15), Borough of Manhattan.

169-40-A—1272 East 222nd street, south side, 130.07 ft. west of Boston Post road (Block No. 4729, Lot No. 11), Borough of The Bronx.

MAY 10, 1940, 10 A. M.

Appeals from Administrative Decisions.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

422-40-A—58-08 185th street, west side, 40 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

423-40-A—58-12 185th street, west side, 80 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

424-40-A—58-16 185th street, west side, 120 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

425-40-A—58-07 185th street, east side, 40 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

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426-40-A—58-11 185th street, east side, 80 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

427-40-A—58-15 185th street, east side, 120 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

428-40-A—58-19 185th street, east side, 160 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

429-40-A—58-23 185th street, east side, 200 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

435-40-A—East side of Berriman boulevard, from north side of 47th street to south side of Steinway street (Block No. 776, Lot No. 150), Long Island City, Borough of Queens (Pump and Blower House for Bowery Bay Sewage Treatment Works).

MAY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 14, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 67-33-BZ—Application of Stein and Wiener, applicants, on behalf of Harry Weissberg, owner, reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

CAL. NO. 1521-39-BZ—Application, December 19, 1939, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of Josephine Newman, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th

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street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 10 and part of Lot Nos. 1 and 12), and 12), Borough of Manhattan.

CAL. NO. 88-40-BZ—Application, January 25, 1940, under sections 7a and 7g of the building zone resolution, of Joseph J. Campbell, applicant and lessee, on behalf of May E. Campbell, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and

CAL. NO. 144-40-BZ—Application, February 3, 1940, under section 21 of the building zone resolution, of Benjamin B. Wesley, applicant, on behalf of Hadley Home Builders, Incorporated, owner, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 26), Borough of Brooklyn.
Ozone Park, Borough of Queens.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert Sheffield Farms Company, Inc., owner, G. Zetsche, applicants, on behalf of to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeal from Administrative Decision.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

85-40-A—11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan.

433-40-A—Re transportation of gasoline in tank trucks (construction of tanks not built of steel in accordance with Fire Department specifications for tanks) in New York City.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

206-40-A—115-117 East 14th street, north side, 25 ft. west of Irving place (Block No. 870, Lot No. 18), Borough of Manhattan.

432-40-A—307 Sumpter street, north side, 330 ft. east of Hopkinson avenue (Block No. 1521, Lot No. 64), Borough of Brooklyn.

405-40-A—Pier No. 38, west side of West street, between West Houston street and Spring street (Block No. 656, Lot No. 3), North River, Borough of Manhattan.

237-40-A—396 West Broadway, west side, 115.11 ft. south of Spring street (Block No. 488, Lot No. 24), Borough of Manhattan.

248-40-A—35-27 30th avenue, northwest corner of 36th street (Block No. 629, Lot No. 41), Long Island City, Borough of Queens.

285-40-A—602 Water street, north side, 47.8 ft. east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan.

390-40-A—120 West 9th street, blocks bounded by West 9th street, Mill street, Clinton street, Henry street and Lorraine street (Block Nos. 538, 540, 549, 550, 551, 559, 560, 561, 569 and 570), Borough of Brooklyn.

303-40-A—422-426 Knickerbocker avenue, west side, 50 ft. north of Harman street, and 253 Harman street (Block No. 3278, Lot Nos. 30, 31 and 35), Borough of Brooklyn.

240-40-A—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

408-40-A—516 East 16th street, south side, 245 ft. 6 in. east of Avenue A (Block No. 973, Lot No. 48), Borough of Manhattan.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

447-40-A—115 Livingston street and 12 Court square, northeast corner (Block No. 153, Lot No. 1), Borough of Brooklyn.

158-40-A—58-27, 58-31, 58-35 and 58-39 185th street, east side, 240 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

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159-40-A—58-20, 58-24 and 58-28 185th street, west side, 160 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

Variation of the Labor Law.

434-40-S—5502-5520 Second avenue, west side, from 55th street to 56th street (Block No. 828, Lot No. 1), Borough of Brooklyn.

MAY 17, 1940, 10 A. M.

Rules.

1-38-SR—Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

MAY 21, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 21, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 582-38-BZ—Application of Justine Schwab, applicant and owner, reopened April 23, 1940, for consideration as to extension of time to complete work and an amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 1266-25-BZ—Application of Jack Z. Cohen, applicant, on behalf of Max M. Leader, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and extension of an accessory building on an existing gasoline service station (gasoline service station previously granted by the Board); premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

CAL. NO. 1161-39-BZ—Application, September 21, 1939, under sections 7a and 21 of the building zone resolution, of Robert T. Schaefer, applicant, on behalf of Michael McCormick, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop—to be erected, in part, on an existing gasoline service station; premises 4302-4308 Far-ragat road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 78, 136 and 137), Borough of Brooklyn.

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1100-39-BZ—Application, September 5, 1939, under section 21 of the building zone resolution, of William Wolff, applicant, on behalf of Bertha Geis, owner (Samuel Levine, lessee), to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

CAL. NO. 387-39-BZ—Application of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, reopened July 18, 1939, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board); premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 1308-39-BZ—Application, October 24, 1939, under section 7h of the building zone resolution, of Philip Hirshkind, applicant and lessee, on behalf of Manufacturers Trust Company (as trustee), owner, to permit

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in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

HARRISH H. MURDOCK, *Chairman*.

MAY 28, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 28, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 164-40-BZ—Application, February 10, 1940, under section 7h of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Central Savings Bank in the City of New York, owner (George Somnig, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

CAL. NO. 256-40-BZ—Application, March 7, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

CAL. NO. 265-28-BZ—Application of Otilia Realty Corporation, applicant and owner, reopened February 6, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a

garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 152-40-BZ—Application, February 8, 1940, under section 21 of the building zone resolution, of Arnold J. Marshall, applicant and lessee, on behalf of John Bodine Estates, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

CAL. NO. 218-40-BZ—Application, February 29, 1940, under sections 7c and 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit the extension, from a business use district into a residence use district, of an existing central telephone exchange; premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRISH H. MURDOCK, *Chairman*.

MAY 28, 1940, 2 P. M.

Appeal from Administrative Decision.

454-40-A—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

JUNE 4, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 4, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 344-40-BZ—Application, April 4, 1940, under section 21 of the building zone resolution,

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of Maurice Courland, applicant, on behalf of Jewish Center, Incorporated, owner, to permit in a residence use district and, also, "B" area district, the erection of an extension to an existing building; the proposed extension does not comply with "B" area yard requirements; premises 131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan.

CAL. NO. 347-40-BZ—Application, April 5, 1940, under sections 7g and 21 of the building zone resolution, of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 82-40-BZ—Application, January 22, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of 501 Avenue R Corporation, owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58 East 18th street, west side, 161 ft. 9 $\frac{1}{8}$ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn.

CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of C. J. Johnson, applicant, on behalf of Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under

sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 312-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elizabeth Linden Kiley, owner (Dora Glicker, lessee), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68 to 71, inclusive, and Lot No. 30), Borough of The Bronx.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 11, 1940, 2 P. M.

Appeals from Administrative Decisions.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, APRIL 30, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, April 2, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, April 2, 1940, were approved as printed in Bulletin No. 15, Vol. 25.

BUILDING ZONE CASES.

1437-39-BZ.

APPLICANT—Charles Lee Koester, for Galonite, Incorporated, owner (Harry Cook, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Herman Rosenbaum, Charles Lee Koester and Harry Cook.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to May 21, 1940, at 10 A.M., for further consideration by the Board.

1545-39-BZ.

APPLICANT—Lama and Proskauer, for Mamie Tusa, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Vincent Tusa.

For Administration: Harold Klorfein, Department of Parks, and Charles Tilgner, Department of Education.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., for further consideration and inspection by a committee of the Board.

56-40-BZ.

APPLICANT—William C. Stohldreier and Robert G. Zetsche, for Sheffield Farms Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop.

PREMISES AFFECTED—4745-4747 Bronx boulevard and 550 East 242nd street (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: William Stohldreier and H. McNabb.

For Opposition: None.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., for filing of revised plans on request of applicant.

1422-39-BZ.

APPLICANT—Lama and Proskauer, for J and P Development Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and office.

PREMISES AFFECTED—133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road), (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative. Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

282-35-BZ.

APPLICANT—Paul Friedman, for Bay Parkway Holding Corporation, owner.

SUBJECT—Application reopened for rehearing on alleged new facts January 30, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously granted on condition by the Board—Board's decision reversed by the Court).

PREMISES AFFECTED—1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant. Paul Friedman, Nathan Frischling and Norman Gottlieb.

For Opposition: Edward L. Kelly, Bertha Schrier, Peter Lucakis, Abraham Bensky, Abraham I. Wolf and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum

and Assistant Chief McCarthy

Negative: Chairman Murdock

3
1

THE RESOLUTION—

(282-35-BZ)

WHEREAS, this application to permit in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner (Block No. 4771, Lot No. 1), Borough of Brooklyn, was withdrawn January 7, 1936; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board April 21, 1936; granted on condition May 12, 1936, and the decision of the Board reversed by order of the Court January 19, 1937; and

WHEREAS, Paul Friedman, for Bay Parkway Holding Corporation, owner, requested a rehearing of this application on alleged new facts; and

WHEREAS, this application was reopened by vote of the Board January 30, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting,

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April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Utica avenue, Clarendon road and Avenue D are in business use districts; East 51st street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Application No. 692-1940, dated February 26, 1940, reads:

"This is a copy written on March 28, 1940.

1. Proposed change of occupancy of buildings and premises within a business district to be used for a gasoline service station is contrary to Art. II, Sec. 4a, subd. 46 Zoning Resolution and is hereby denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Utica avenue and 100 ft. on Clarendon road; upon the easterly portion of the plot there is located a one-story structure, 80 ft. by 31 ft. 6 in., irregular in area, occupied as an office, five-car garage and auto laundry, and erected in 1935; it is proposed to occupy the remainder of the plot as a gasoline service station as shown upon plans filed with this application; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant was entitled to temporary relief under section 21 of the building zone resolution on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, for a term of five years from the date of this resolution, *on condition* that the plot shall be leveled substantially to the grade of Utica avenue and Clarendon road; that the existing building shall not be increased in height or area; that there shall be erected on the interior lot line, from the accessory building to Utica avenue, a substantial wall or fence, and if a fence, it shall have a masonry base not less than 1 ft. in height with a steel or wood picket fence erected thereon to a total height of not less than 6 ft.; that the plot where not built upon shall be cement paved; that there shall be erected at the intersection of Utica avenue and Clarendon road a cement platform not less than 1 ft. in height nor less than 5 ft. along Utica avenue and Clarendon road from the intersection as a protection to the pedestrians; that entrances to the premises shall be restricted to two from Utica avenue, not exceeding 25 ft. in width each, and two to Clarendon road, not exceeding a similar width, with curb cuts opposite of similar width; that no portion of the curb cuts shall be nearer than 5 ft. to any lot line as extended; that between such curb cuts there shall be planted areas not less than 4 ft. in width and protected with concrete curbing; that planted areas shall be maintained not less than 6 ft. in width along the side lot line wall; that gasoline pumps shall be erected not nearer than 20 ft. to any street building line; that signs shall be restricted to a permanent sign attached to the accessory building and to the illuminated globes of the pumps, excluding all temporary and roof signs, but permitting the erection at the intersection of Clarendon road and Utica avenue of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the accessory building shall be constructed of incombustible materials, except that the roof boarding and beams, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any heating boiler constructed shall be separated from the other parts of the accessory building by fireproof construction and shall be enterable only from the exterior; that any greasing equipment installed shall be of the hydraulic lift type; that there shall be no windows

erected in the accessory building opening upon adjoining premises; that during the term of this permit the premises shall be used for no other use than as herein permitted as a gasoline service station and for laundry and lubritorium in connection with motor vehicles; that no repairing shall be carried on on the premises, and there shall be no parking of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

93-38-BZ.

APPLICANT—M. P. Murphy, owner.

SUBJECT—Application reopened and restored to Calendar April 9, 1940 (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—27-11 30th avenue (Grand avenue), north side, 50 ft. west of 29th street (Block No. 575, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: M. P. Murphy.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(93-38-BZ)

WHEREAS, M. P. Murphy, owner, reopened April 9, 1940, an application, under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-11 30th avenue (Grand avenue), north side, 50 ft. west of 29th street (Block No. 575, Lot No. 21), Long Island City, Borough of Queens; and

WHEREAS, this application was dismissed for lack of prosecution June 27, 1939, and reopened and restored to the Calendar by vote of the Board April 9, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 30th avenue and Newtown avenue are in business use districts; 29th street and 27th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings on Misc. Application 1186-1940, dated March 4, 1940, reads:

"1. A parking and storage lot for more than 5 motor vehicles in a business and residence district is contrary to the Zone Law. Not further considered."

and

WHEREAS, the premises, part of a larger plot of ground, consist of a plot of ground having a frontage of 50 ft. and a depth of 105 ft.; the rear portion of the plot extends for a distance of 5 ft. into the residence use district and the remainder is located in a business use district; it is proposed to occupy the site, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were

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inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, for a term of two (2) years, to permit the premises under appeal to be occupied for the parking and storage of automobiles, *on condition* that only automobiles of the pleasure-car type shall be so stored or parked; that the premises shall be leveled substantially to the grade of 30th avenue; that there shall be erected on the interior lot lines, except where walls of adjoining buildings occur, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected along the street building line of 30th avenue, with no openings therein, except one for entrance and egress, and not exceeding 20 ft. in width, with curb cut opposite of a similar width; that during the term of this permit the premises shall be used for no other use other than as herein permitted; that no buildings shall be erected thereon, except for a building not over one (1) story in height and not over 100 sq. ft. in area, which may be of frame, to be used solely as office and shelter for the attendant; that there shall be no entrance to 29th street, and the existing wood fence and gate shall remain continuously locked; that no signs shall be erected, except for a sign attached to the fence, advertising the parking and storage use, provided such sign does not exceed 15 sq. ft. and does not extend beyond the building line; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

738-38-BZ.

APPLICANT—Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Incorporated, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubricatory, auto laundry, and for sale of accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard A. Trencher.

For Opposition: Oscar W. Swift and Abram Schleinstein.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(738-38-BZ)

WHEREAS, Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners, filed August 23, 1938, an application, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubricatory, auto laundry, and for sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meetings of January 17, 1939, and April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean avenue is in a residence and business use district; Kenmore place and Avenue N are in residence use districts; Avenue M is in a business use district; and

WHEREAS, the decision of the borough superintendent dated August 15, 1938; as amended by decision dated December 9, 1938, reads:

"The legality of the present occupancy of the above premises as a gasoline station and motor vehicle repair shop was questioned by Commissioner Thatcher under date of November 18, 1937. An application to revoke the certificate of occupancy of above now pending before the Board of Standards and Appeals.

The extensions of the area of the said gasoline service station and the erection of a building to be used as a gasoline service station, office, lubricatory, automobile laundry and for sale of accessories in a residential use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution and is therefore denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 110 ft., occupied as a gasoline service station; it is proposed to rearrange the station and to erect a new building, to be used as office, lubricatory, auto laundry and for the sale of accessories and, also, to occupy the entire premises as a gasoline service station; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the premises under appeal, with a frontage of 100 ft. and a depth of 110 ft., to be occupied for a gasoline service station, *on condition* that all buildings on the site shall be completely removed and the plot leveled substantially to the grade of Ocean avenue; that the accessory building, walls, planting areas, entrances and gasoline pumps shall be located substantially as shown on plan marked "Received April 22, 1940"; that on the rear lot line, where not occupied by accessory building, there shall be erected a brick wall not less than 7 ft. in height; that a similar wall shall be erected on each side lot line from the rear lot line to street building line, except that such wall from the street building line to a point approximately opposite the front of the accessory building, may be constructed with brick posts and brick wall approximately 4 ft. in height with wood picket fence above; that a wall of similar design with wood picket fence shall be constructed from the accessory building to each side lot line with driveway openings approximately 6 ft. in width one on either side; that the accessory building shall be constructed of incombustible materials, except that the roof beams and boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the roof surface is of natural slate; that there shall be no windows or other openings on any interior lot line; that there shall be no open excavation under the accessory building; that gasoline pumps shall be of the parkway design, with masonry pedestals agreeing with the design of the accessory building, as approved by the Park Department for use on parkways; that such gasoline pumps shall not be nearer than 20 ft. to the building line of Ocean avenue; that the entire plot, where not covered by walls, planting, accessory building and pumps,

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shall be cement paved; that entrances shall be restricted to two, each 25 ft. in width, with curb cuts opposite of similar width; that no curb cuts shall be nearer than 5 ft. to the side lot lines as extended; that between entrances at the building line there shall be a planting area of 4 ft. in width, and this and other planting areas along the side walls and cross walls shall be protected with curbing not less than 6 in. in width and height; that the planting area at the front of the accessory building shall be enlarged so as to be approximately 6 ft. in width; that the heating equipment shall be separated from other portions of the accessory building by fireproof construction and enterable only from the exterior; that greasing equipment shall be of the hydraulic lift type; that there shall be no repairing done on the premises; that there shall be no parking of cars other than those being serviced; that the design of the building and walls shall be substantially as shown on plans marked "Received April 22, 1940"; that signs shall be restricted to signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that no portable gasoline pumps shall be used on or from the premises; that complete working drawings shall be submitted for approval by the Chairman in behalf of the Board, as in compliance with the general terms of this resolution, before same are filed with the borough superintendent; that such plans shall be filed within one month from the date of this resolution, and after approval all permits required shall be obtained and all work completed within one year thereafter.

328-39-BZ.

APPLICANT—Robert A. Pabian, for Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners (Joseph Sliva, lessee).

SUBJECT—Application reopened and restored to Calendar April 2, 1940 (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—405 East 75th street, north side, 88 ft. east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert A. Pabian and H. S. Van Wagonen.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock and Commissioners Savage and Blum	3
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(328-39-BZ)

WHEREAS, Robert A. Pabian, for Chase National Bank of the City of New York, trustee for May Lillian de Ruggiero and guardian for Robert Howard Cook, owners (Joseph Sliva, lessee), filed March 15, 1939, an application, under section 7h of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 405 East 75th street, north side, 88 ft.

east of First avenue (Block No. 1470, Lot No. 5), Borough of Manhattan; and

WHEREAS, this application was dismissed for lack of prosecution March 19, 1940, and reopened and restored to the Calendar by vote of the Board April 2, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 75th street and East 76th street are in unrestricted, business and residence use districts; York avenue is in a residence use district; First avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated September 21, 1939, and as amended March 9, 1940, reads:

"In answer to your letter requesting an extension of time in which to appeal to the Board of Standards and Appeals on our denial of September 21, 1938, and explaining that the thirty day requirement has expired, you are advised that this department has no authority to extend such time and our denial of September 21, 1938, is therefore repeated:

'Your application for a certificate of occupancy for the parking and storage of more than 5 motor vehicles for the above premises has been denied as this occupancy is prohibited by Article 2, Section 4, sub-division 15 of the Zoning Resolution as the premises are located partly in a business district and partly in an unrestricted district.'

and

WHEREAS, the premises consist of a plot of ground having a frontage of 25 ft. and a depth of 102 ft.; the westerly portion of the plot extends for a distance of 12 ft. into the business use district and the remainder in an unrestricted use district; it is proposed to use the site for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was not a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1242-39-BZ.

APPLICANT—Gilbert Niles Ramsey, for Alken Realty Corporation, owner (Shell Oil Company, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station.

PREMISES AFFECTED—515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Gilbert Niles Ramsey and Noel R. Dalton.

For Opposition: None.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

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THE RESOLUTION—

(1242-39-BZ)

WHEREAS, Gilbert Niles Ramsey (Shell Oil Company, Incorporated, lessee), for Alken Realty Corporation, owner, filed October 9, 1939, an application under section 21 of the building zone resolution, to permit, partly in a business use and partly in an unrestricted use district, the erection and maintenance of an accessory building on a plot of ground occupied as a gasoline service station; premises 515 Bay street, southeast corner of Wave street (Block No. 489, Lot No. 5), Stapleton, Borough of Richmond; and

WHEREAS, a public hearing was held by the Board of Standards and Appeals on this application, at its regular meeting, April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bay street is in a business use district; Front street is in an unrestricted use district; Sand street is in a business, residence and unrestricted use district; Wave street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings dated August 8, 1939, and as amended on October 5, 1939, reads:

"New Building Application No. 232/39, filed by your architect Gilbert M. Ramsey, on August 2, 1939, to erect a gasoline service station at premises No. 515 Bay Street, southeast corner of Wave Street, Stapleton, Borough of Richmond, is hereby denied as it is contrary to Zoning Resolution, Sec. 4(a), subd. 46, to erect a building for gasoline service station use in a business use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on Bay street and 116 ft. on Wave street; the east portion of the plot extends for a distance of 16 ft. into an unrestricted use district and the remainder is in a business use district; the legal gas station on the site has a frontage of 75 ft. on Bay street and 50 ft. on Wave street; it is proposed to remove the two buildings on the site, to relocate the pumps, to erect upon the site a one-story building, 37 ft. 4 in. by 25 ft. in area, to be used as office and lubritorium, and to use the entire plot as a gasoline service station; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the existing legal gasoline service station to be rearranged and reconstructed substantially as indicated on revised plans marked 'Received December 7, 1939', and filed with this application, with a total plot area of 75 ft. frontage on Bay street and a depth of 116 ft. along Wave street; that the existing buildings on the plot shall be removed and the plot shall be graded to conform generally to the grade of Bay street and Wave street; that the accessory building shall be erected toward the center of the plot, as indicated, and shall not exceed one (1) story in height, and shall be constructed of incombustible materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that this building shall be erected for office, lubritorium and washing space; that the portion of the plot to the north and south of the accessory building shall be landscaped, as indicated, and provided with a protective curbing and fence; that the portion of the plot to the west along Bay street shall be cement paved or paved with colprovia or other suitable impervious material; that gasoline pumps erected shall not be nearer than 13 ft. 6 in. to the street building line of Bay street; that entrances from

Bay street shall be restricted to two (2), one (1) 25 ft. and one (1) 36 ft. in width, with curb cuts opposite of a similar width; that the entrance to the gasoline selling area from Wave street shall be by means of one entrance, not over 21 ft. in width, having curb cut opposite of similar width; that to the rear of the accessory building the premises shall be graded and covered with crushed bluestone, properly bound; that the entrance to this portion may be by means of curb cut from Wave street, not over 30 ft. in width; that this portion of the premises may be used for the parking of automobiles, including those being serviced at the gasoline station; that a suitable heavy woven wire or board fence shall be erected on the interior and street building lines on the rear portion of this plot; that along the interior lot line from the rear of accessory building to Bay street there shall be erected a substantial combination masonry and wood fence not less than 6 ft. in height, of which the height of masonry shall not be less than 2 ft. 6 in.; that a similar fence shall be erected across the plot on a line with the rear of the accessory building and along the street line of Bay street for a distance of 25 ft. so as to enclose the area shown to be landscaped; that signs shall be restricted to permanent sign attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of two (2) post standards for supporting a sign, each which may be illuminated, advertising only the brand of gasoline on sale, and permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that no automobile repairing shall be carried on; that the fence herein required on the rear lot line to the east may be omitted in the event it is desired to extend parking herein permitted to include Lot No. 12 to the east; that in the event the permit is granted for parking automobiles on the adjoining Lot No. 52, the interior lot line fence herein required may be omitted for that portion of the premises in the unrestricted district, to permit the parking and use herein permitted to be used in conjunction with that on Lot No. 52; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

275-40-BZ.

APPLICANT—Carl F. Grieshaber, for the Department of Public Works, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles.

PREMISES AFFECTED—101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Carl F. Grieshaber.

For Opposition: Russell A. Thomas, Hugh S. Kelly, Frank G. Cosmen, Alexander Graves, H. W. Ordeman and others.

For Administration: John J. O'Keefe, Department of Housing and Buildings, and Valentine Fendrich, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum
and Assistant Chief McCarthy 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(275-40-BZ)

WHEREAS, Carl F. Grieshaber, for the Department of Public Works, City of New York, owner, filed March 13, 1940, an application under section 21 of the building zone

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resolution, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Randall avenue and Delafield avenue are in residence use districts; Elwood place and Hart boulevard are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 344-1939, dated February 17, 1940, reads:

"This Department's objection No. 1 dated Nov. 8, 1939, has been reconsidered as requested in my opinion the issue raised should be decided by the Board of Standards and Appeals. The objection reads, as to the garage:

'1. Contrary to Zoning Resolution (Sec. 3 last paragraph) to erect a garage for more than 3 motor vehicles in a residence use district.'

Your application as to above item is therefore denied."

and

WHEREAS, the proposed building is to be of fireproof construction, 73 ft. 6 in. frontage by 32 ft. 4 in. in depth, one story in height; it is proposed to occupy the proposed building as a storage garage for seven (7) motor vehicles as an accessory to the New York City Fire Department, fire alarm and telegraph central station, for the Borough of Richmond; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 21 thereof, on condition that the storage of automobiles on the premises shall not be extended beyond what is proposed in this application, and that at no time shall any materials such as poles, reels and similar equipment be stored on the plot; that landscaping shall be provided so as to completely blank the garage building; that the plans for said landscaping shall be submitted to the Board for approval before executing same; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS. 57-40-A.

APPLICANT—William C. Stohldrier and Robert C. Zetsche, for Sheffield Farms Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4745-4747 Bronx boulevard, southwest corner of East 242nd street (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: William Stohldrier and H. McNabb.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., for filing of revised plans on request of applicant.

553-37-A.

APPLICANT—Benjamin Saltzman, for Department of Housing and Buildings, Borough of Brooklyn.
OWNER OF PREMISES—Estate of Mary E. Hayes.

SUBJECT—Application for revocation of Certificate of Occupancy No. 47150 and Permit No. 7488-27 issued by the commissioner of buildings—re maintenance of a gasoline service station and auto accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., until gas station granted under Cal. No. 738-38-BZ is constructed.

Adjourned 1:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, APRIL 30, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

1373-18-BZ.

APPLICANT—Lama and Proskauer, for Jeannette Slavin, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration and change of occupancy of a portion of a garage for more than five (5) motor vehicles (garage previously dismissed by Board; restored to Calendar and granted by the Board—re order of the Court) to a gasoline service station.

PREMISES AFFECTED—1666-1674 St. Johns place, southeast corner of Ralph avenue (Block No. 1473, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

272-26-BZ.

APPLICANT—Lama and Proskauer, for Maned Realty Company, Incorporated, owner (Harry Roisman, lessee).

SUBJECT—Application for consideration—reopening and rehearing on a new proposal—(re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied re-erection of gasoline service station).

PREMISES AFFECTED—555-563 Atlantic avenue, north side, 97.10 ft. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

MINUTES

155-36-BZ.

APPLICANT—Tobias Goldstone, for Herap Properties, Incorporated and Simon Holland, owners.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting the extension, from an unrestricted use district into a business use district, of an existing structural iron works.

PREMISES AFFECTED—258-280 Lott avenue, 540-554 Christopher avenue, southwest corner, and 821-835 Stone avenue, southeast corner of Lott avenue (Block No. 3855, Lot Nos. 10 and 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

875-39-BZ.

APPLICANT—Margaret Bergen (lessee), for Woodboro Realty Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles for a temporary period of not more than two (2) years.

PREMISES AFFECTED—39-25 61st street, east side, 140 ft. south of 39th avenue (Block No. 1231, Lot Nos. 13 and 18), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(875-39-BZ)

WHEREAS, Margaret Bergen (lessee), for Woodboro Realty Company, Incorporated, owner, filed June 29, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 39-25 61st street, east side, 140 ft. south of 39th avenue (Block No. 1231, Lot Nos. 13 and 18), Woodside, Borough of Queens; and

WHEREAS, the applicant failed to complete the papers in the case although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

88-40-BZ.

APPLICANT—Joseph J. Campbell (lessee), for May E. Campbell, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 7g of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles.

PREMISES AFFECTED—1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

ACTION OF BOARD—Area fixed.

THE VOTE TO FIX AREA—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(88-40-BZ)

WHEREAS, the Board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit in a business use district, under sections 7a and 7g of the building zone resolution, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

Resolved, that the following area be and it hereby is *fixed*:

"Both sides of Decatur street from a point 400 ft. west to a point 400 ft. east of the premises in question and, also, the north side of Cooper street from Knickerbocker avenue to a point 300 ft. westerly therefrom."

440-22-BZ.

APPLICANT—James J. Malone, for 571 West 182nd Street Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 7b of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the alteration and change of occupancy of a building occupied as a post office to stores (the post office use having been previously granted by the Board).

PREMISES AFFECTED—571-573 West 182nd street, north side, 60 ft. east of St. Nicholas avenue (Block No. 2154, Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: James J. Malone.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(440-22-BZ)

WHEREAS, this application, affecting premises 571-573 West 182nd street, north side, 60 ft. east of St. Nicholas avenue (Block No. 2154, Lot No. 65), Borough of Manhattan, was granted by the Board May 2, 1922, on certain conditions, resolution amended January 21, 1936, time extended January 26, 1937; January 18, 1938, and January 24, 1939, and applicant requests a further extension of time to complete work.

Resolved, that the resolution adopted by the Board on May 2, 1922, as amended January 21, 1936, be and it hereby is *amended*, only so far as it has reference to obtaining of permits and completion of work, so that as amended that portion of the resolution shall read:

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"That the time within which to obtain permits and complete the work is extended for one year from the date of this *amended resolution*; that the resolution of the Board adopted January 21, 1936, shall be complied with in all other respects."

1149-24-BZ.

APPLICANT—Herman W. J. Bruning, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence use district the maintenance of an existing garage for six (6) motor vehicles for a temporary period.

PREMISES AFFECTED—63-63½ Schaeffer street, west side, 125 ft. north of Bushwick avenue (Block No. 3421, Lot Nos. 57 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Bruning.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1149-24-BZ)

WHEREAS, this application, affecting premises 63-63½ Schaeffer street, west side, 125 ft. north of Bushwick avenue (Block No. 3421, Lot Nos. 57 and 58), Borough of Brooklyn, was granted by the Board April 28, 1925, for a temporary period of two (2) years, under section 7, subdivision g, on certain conditions, period extended June 7, 1932; June 5, 1934; June 9, 1936, and May 10, 1938, under section 21; and

WHEREAS, applicant requested a further extension of the temporary period under section 21.

Resolved, that the resolution adopted by the Board on April 28, 1925, as amended, be and it hereby is *amended*, only so far as it has reference to the term of this variance, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, for a temporary period of two (2) years from the date of this amended resolution, under section 21 of the building zone resolution, on condition that the structure shall be restricted to the existing masonry structure with a roof surfacing of incombustible materials, not over one story in height, located on the rear of the lot for a width of 50 ft. and a depth of approximately 20 ft. for use of six (6) cars of the pleasure type only, prohibiting taxicabs or trucks; that four spaces may be rented to persons not residing on the premises; that this variance shall continue only so long as the property shall remain under the present ownership and only so long as the present owner resides in the two-story frame dwelling located on the front portion of the lot; that there shall be no storage of gasoline other than in the tanks of the cars stored on the premises; that the rear and gable walls shall be unpierced throughout their entire height and length; that there shall be no gasoline equipment installed and no signs of any nature displayed on the premises."

624-26-BZ.

APPLICANT—Apa Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and

extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variance granted by the Board for a temporary period).

PREMISES AFFECTED—Southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Reinhardt.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(624-26-BZ)

WHEREAS, this application, affecting premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens, to permit in a business use district the maintenance of a gasoline service station, for a temporary period of two (2) years, was granted by the Board November 18, 1932, resolution amended May 7, 1935; December 8, 1936, and November 15, 1938; and

WHEREAS, the applicant requested a reopening of the case and an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 18, 1932, as amended November 15, 1938; May 2, 1939, and November 8, 1939, as to the temporary term of permit, so that as amended the resolution shall read:

"*Granted*, under section 7, subdivision f, for a temporary period of one (1) year from the date of the amended resolution, on condition that all pumps shall be set back not less than 10 ft. from the building lines; any accessory use to the business conducted on the premises shall be confined to one-story structures; that there shall be but two entrances to the gasoline station on Nassau boulevard and two entrances on Reeves avenue, each not more than 12 ft. wide, with curb cuts not more than 14 ft. wide each; there shall be but one entrance on Kissena boulevard, not more than 12 ft. wide, with curb cut not more than 14 ft. wide; that no part of the gasoline station or the equipment or fence enclosing same shall extend beyond the area of the plot under appeal to include any adjacent property; that other than as amended herein, the resolutions adopted by the Board on November 18, 1932, and May 7, 1935, shall be complied with in all respects."

352-29-BZ.

APPLICANT—Leo Pincus, for Rose Chizner Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of Buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—212-220 East 98th street, southwest corner of Kings highway (Block No. 4633, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Pincus.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

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Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(352-29-BZ)

WHEREAS, this application, affecting premises 212-220 East 98th street, southwest corner of Kings highway (Block No. 4633, Lot No. 34), Borough of Brooklyn, was granted by the Board June 30, 1936, resolution amended May 25, 1937, and April 19, 1938, and owner requested an extension of time to complete work.

Resolved, that the resolution adopted by the Board on June 30, 1936, as amended May 25, 1937; April 19, 1938, and April 18, 1939, be and it hereby is *amended*, only so far as it has reference to the completion of the work, so that as amended this portion of the resolution shall read:

"That in view of statement by the applicant that all permits have been obtained, that all work shall be completed within one year from the date of this amended resolution."

293-31-BZ.

APPLICANT—J. & V. Beach Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southeast corner of Layton avenue and Shore drive (Block No. 5467, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: John T. Vanderveer.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(293-31-BZ)

WHEREAS, this application, affecting premises southeast corner of Shore drive and Layton avenue (Block No. 5467, Lot No. 1), Borough of The Bronx, was granted by the Board April 15, 1932, under section 7f, for a temporary period of two (2) years on certain conditions, permit extended April 15, 1934; May 5, 1936, and April 5, 1938, and owner requests a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 15, 1932, only so far as it has reference to the duration of the variance granted under section 7, subdivision f, of the building zone resolution, extending the permit for a period of two years from the date of this *amended resolution*, on condition that other than as amended herein, the resolution adopted by the Board on April 15, 1932, shall be complied with in all respects.

93-33-BZ.

APPLICANT—Paul Friedman, for T. H. Fraser Mortgage Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings), under section 7c of the building zone resolution, permitting, partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—246-250 Atlantic avenue, south-

west corner of Boerum place (Block No. 278, Lot Nos. 38, 39 and 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Thomas H. Fraser.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(93-33-BZ)

WHEREAS, John J. Beatty, for T. H. Fraser Mortgage Corporation, owner, filed March 8, 1933, an application under section 21 of the building zone resolution, to permit, partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-250 Atlantic avenue, southwest corner of Boerum place (Block No. 278, Lot Nos. 38, 39 and 40), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board May 31, 1933, on certain conditions; and

WHEREAS, this resolution was amended April 28, 1936, and applicant requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 28, 1936, as amended July 11, 1939, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, permitting the plot under appeal, except for a frontage along Atlantic avenue not less than 25 ft. in depth, to be used as a gasoline selling station, on condition that the frontage along Atlantic avenue shall be occupied by a building for conforming purposes, except that there may be a driveway not more than 25 ft. in width and not nearer than 15 ft. to the corner formed by Atlantic avenue and Boerum place as an access to the gasoline selling area.

"*Resolved*, further, that the plans marked 'Received June 23, 1939,' are hereby *approved* as in general compliance with the design and arrangement of the above-mentioned resolution, on condition that the accessory buildings shall be constructed of incombustible materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceilings are fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that unless the greasing equipment in the accessory building is of the hydraulic type, that any greasing pits installed shall be ventilated through the roof by fans of the sparkproof type; that no gasoline pumps shall be erected nearer than 15 ft. to the street building line of Boerum place and not nearer to Atlantic avenue than 35 ft.; that the buildings required to be constructed along the Atlantic avenue front shall be used at all times for conforming business purposes in no way connected with the gasoline service operation; that the curb cut shall be restricted to 25 ft. in width on Atlantic avenue and to two curb cuts, each 25 ft. in width, from Boerum place; that where walls of accessory buildings do not occur, there shall be constructed on all interior lot lines, brick walls conforming in design and material to the accessory buildings and not less than 7 ft. in height; that the portion of the premises not occupied by buildings shall be cement-paved; that signs advertising the non-conforming use shall be restricted to permanent signs on the accessory building and the illuminated globes of the gasoline pumps, excluding roof signs and temporary signs, but permitting the erection within the building line of

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Boerum place of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that, no automobile repairing shall be permitted on the premises and there shall be no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that the occupancy of this gasoline service station shall not be permitted until the gasoline station and the buildings designed for conforming business uses, as shown on plans, are completed in all respects; *that all permits required shall be obtained and all work completed within one year from the date of this amended resolution.*"

613-37-BZ.

APPLICANT—Three Bees, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—234-242 West 124th street, south side, 375 ft. west of Seventh avenue (Block No. 1929, Lot Nos. 49 to 52, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Levy.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(613-37-BZ)

WHEREAS, William C. Sommerfeld, for Three Bees, Incorporated, owner, filed December 21, 1937, an application under the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 234-242 West 124th street, south side, 375 ft. west of Seventh avenue (Block No. 1929, Lot Nos. 49 to 52, inclusive), Borough of Manhattan; and

WHEREAS, this application was granted by the Board May 10, 1938, for a temporary period, on certain conditions, and applicant requested an extension of the permit.

Resolved, that the resolution adopted by the Board on May 10, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h thereof, for a period of two (2) years from the date of this *amended resolution*, to permit the lot under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be stored or parked and only those which are licensed for the current year and capable of operation, shall be so stored or parked; that no trucks shall be stored and no repair work carried on and that the plot shall be for no other use during the term of this variance than as herein permitted; that the plot shall be leveled substantially to the grade of West 124th street and surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and graded to furnish surface drainage; that on the interior lot lines where

walls of adjacent buildings do not occur, there shall be erected substantial woven wire fences not less than 6 ft. in height; that a similar fence shall be erected along the street building line of West 124th street, except for the entrance to the premises, which shall not exceed 20 ft., with a curb cut opposite not exceeding 20 ft.; that no building shall be erected on the premises, except a building not exceeding one story in height and 150 sq. ft. in area, to be used as an office and shelter for the attendant; that such portable fire-fighting appliances shall be installed as the commissioner shall direct; that no signs shall be erected on the premises other than a sign at the entrance advertising the parking and storage use."

1357-39-BZ.

APPLICANT—C. A. Sandblom, for New Era Management Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7c of the building zone resolution, permitting, partly in a residence use district and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre.

PREMISES AFFECTED—87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: C. A. Sandblom.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1357-39-BZ)

WHEREAS, Jacob J. Gloster, for New Era Management Corporation, owner, filed November 3, 1939, an application under section 7c of the building zone resolution, to permit, partly in a residence use and partly in a business use district, the erection and maintenance of a building to be used for stores and, also, a motion picture theatre; premises 87 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx; and

WHEREAS, this application was granted by the Board January 16, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 16, 1940, as amended February 14, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the extension of the proposed theatre and store building into the residence use district, substantially as proposed, *on condition* that the only door openings to Newbold avenue shall be the emergency exits of the proposed theatre; that the wall of the building along Newbold avenue shall be constructed of face brick; that no signs shall be erected on any portion of the building within the residence use area, and any ventilating system required for the theatre

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shall be located within the business use area; that no windows shall be constructed within the residence use area on the lot line walls opening upon adjoining properties; that a portion of Newbold avenue opposite and adjacent to the plot under appeal shall be excavated to street grade for a width of not less than 12 ft. to permit exit from the theatre through Newbold avenue to Virginia avenue; that a guard-rail shall be placed at the top of the rock along such exit passage; that all permits required shall be obtained and all work involved completed within one year from January 16, 1940.

"Resolved further, that in the event the owner desires to rearrange the building in accordance with the revised plan marked 'Received February 8, 1940,' such rearrangement may be permitted, on condition that the resolution adopted by the Board on January 16, 1940, shall be complied with in all other respects, and that no openings to Newbold avenue shall be constructed other than as thereunder permitted, except that there may be constructed an engineer's ladder for exit from the boiler room, on condition that no unloading of fuel or removal of ashes or other refuse shall take place on Newbold avenue.

"Resolved further, that in the event the owner desires to construct the front portion of the building facing the Circle two stories in height, as shown on revised plans filed with the borough superintendent April 17, 1940, Plan No. 885-39, such additional height may be permitted, provided the requirements of this resolution are complied with in all other respects, except that an entrance from the second story may be permitted by means of a court to Newbold avenue, provided there are no exits thereto from the first story occupancy."

APPEALS FROM ADMINISTRATIVE DECISIONS. 85-40-A.

APPLICANT—Charles Landesman, for 3 Vestry Corporation, owner (B. D. Kaplan and Company, Incorporated, lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Landesman and S. Walter Katz.

For Administration: Inspector Johnson, Fire Department.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., for inspection by a committee of the Board.

308-40-A.

APPLICANT—John E. Lane, for Shore Homes Developers, Incorporated, owner.

SUBJECT—Application reopened and restored to Calendar April 23, 1940—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

APPEARANCES—

For Applicant: John E. Lane.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 7, 1940, at 2 P.M., for further consideration by the Board.

374-40-A.

APPLICANT—Lama and Proskauer, for Delia Waste Products Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1613-1633 Dean street, north side, 127 ft. 13/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and V. Delia.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 7, 1940, at 2 P.M., so as to obtain records from Fire Department.

433-40-A.

APPLICANT—Safety Truck-Tank Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner—re Transportation of Gasoline in Tank Trucks (construction of tanks not built of steel in accordance with Fire Department specifications covering tanks) in New York City.

APPEARANCES—

For Applicant: J. R. White.

For Administration: C. K. Michaels, Fire Department.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., for further information from applicant.

61-40-A.

APPLICANT—Arthur F. Winter, for Johanna Barron, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—36-18 to 36-20 Main street, west side, 166 ft. south of Northern boulevard (Block No. 827, Lot No. 43), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(61-40-A)

WHEREAS, Arthur F. Winter (F. W. Woolworth Company, lessee), for Johanna Barron, owner, filed January 15, 1940, an appeal from an order and a decision of the fire commissioner; premises 36-18 to 36-20 Main street, west side, 166 ft. south of Northern boulevard (Block No. 827, Lot No. 43), Flushing, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 3041-LF, dated July 21, 1939, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated December 12, 1939; and

WHEREAS, the building is three stories (37 ft.) in height, 46 ft. 11 in. by 135 ft. in area, of frame and brick construction, erected in 1915, located in a business use C area district, and occupied: cellar, storage, 2 persons; 1st floor, store, 20 persons; 2nd floor, one apartment, 2 persons; 3rd floor, part of second floor apartment; and

WHEREAS, the applicant contends that the building is equipped with two fireproof enclosed stairways leading from

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first floor to basement, a sidewalk elevator at front, and an engineer's ladder at rear; that adequate ventilation for basement is provided by areas at the rear openings in the show window bulkheads and sidewalk elevator doors; that the merchandise carried in the basement is common to this type of occupancy; that the amount of celluloid stored in this basement is approximately .7 of 1 per cent. of the entire stock; that all the aisles are 3 ft. wide and are kept clear; that the basement ceiling is of fire-retarding material; that all partitions in basement are fireproof; that adequate fire protection has already been provided in this basement, and therefore requests that this order be modified.

Resolved, that the order of the fire commissioner, No. 3041-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain, and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum; that such sprinklers may be omitted in the exit passage, as shown, provided this is used for exit and entrance purposes only and at no time for the storage of merchandise.

64-40-A.

APPLICANT—McDowell Sprinkler Corporation, for Florence A. Jackson, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(64-40-A)

WHEREAS, McDowell Sprinkler Corporation, for Florence A. Jackson, owner, filed January 18, 1940, an appeal from a decision—re an order of the fire commissioner; premises 447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx; and

WHEREAS, Order No. 1886-LF issued by the fire commissioner August 10, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, the decision of the fire commissioner dated January 3, 1940, reads:

"In reply to your letter in reference to Order No. 1886-LF pending against the above premises and the blue print filed in this Division showing proposed non-automatic sprinkler system in the cellar, you are advised as follows:

'A reinspection has been made of the cellar and in view of the lack of ventilation and combustible materials stored in the cellar, you are advised that a standard wet automatic sprinkler system must be provided in the cellars of No. 447 and No. 449 East Tremont Avenue.'

and

WHEREAS, the building is one story (14 ft.) in height, 68.6 ft. by 98 ft. in area, of Class 3 construction, erected in 1904, located in an unrestricted use district, and occupied since 1937 as follows: cellar, stationery and shoe store, 2 persons; first floor, same; and

WHEREAS, the applicant contends that it will be a hardship to be compelled to install a wet pipe automatic sprinkler system and requests to be permitted to install a modified sprinkler system in the cellar of both portions of the building.

Resolved, that Order No. 1886-LF of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar of No. 447-449 East Tremont avenue an automatic wet sprinkler system complying with the requirements of the building code therefor, except that the water supply may be taken from the street mains by means of a new 2-inch line with a 1½-inch tap; that the airshaft shown in the basement shall either be entirely blocked off with fireproof materials or the existing window openings therein shall be made fireproof and self-closing; that the trap doors on all stairways shall be so arranged with a fusible link as to close in the event of fire in the cellar; that in all other respects the sprinkler system shall comply with the requirements of the building code therefor.

251-40-A-WF.

APPLICANT—Neil Breen, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-33 Lawrence street, east side, 54.17 ft. south of 40th avenue (Block No. 5037, Lot No. 12), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels and Neil Breen.

For Opposition: Ralph Mortanis.

For Administration: Joseph Ferro, Department of Housing and Buildings, and Patrolman Albert Doubrava, Shield No. 15455, Police Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(251-40-A-WF)

WHEREAS, Neil Breen, owner, filed March 6, 1940, pursuant to the World's Fair Resolution, an application for permission to operate a cabaret as referred to in a decision of the borough superintendent of buildings; premises 40-33 Lawrence street, east side, 54.17 ft. south of 40th avenue (Block No. 5037, Lot No. 12), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 679-40, dated February 7, 1940, and reconsideration denied March 5, 1940, reads:

MINUTES

"The use of the above located premises as a cabaret is contrary to World's Fair Resolution."

and
WHEREAS, the building is one story (15 ft.) in height, 22 ft. by 88 ft. 7 $\frac{7}{8}$ in. in area, of Class 3 construction, erected in 1938, and occupied: cellar, storage; first story, restaurant and tavern, 35 persons; proposed occupancy: cellar, same; first story, cabaret and restaurant; and

WHEREAS, the applicant contends that the use of the premises herein as a cabaret would in no way effect the World's Fair as the premises are very small, located a considerable distance from the Fair and its entrances, and can provide for only a small clientele; that the operator of the premises is unable to continue to make a livelihood without a dance permit, and the owner is in jeopardy of losing his tenant and sufficient income for payment of taxes; that it is not the desire of the owner or tenant to conduct a cabaret in the true sense of employing entertainers, or to engage a large orchestra, but merely to be able to have one to three pieces of music on certain days and to allow his patrons to dance if they so desire, especially for wedding parties and such.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 679-40 be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the music provided shall be limited to an orchestra not over three (3) pieces.

410-40-A.

APPLICANT—H. Craig Severance, for Estate of William DeForrest Manice, owner (1350 Broadway Realty Corporation, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1332-1350 Broadway and 597-617 Sixth avenue, entire block bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob Langfur and H. Craig Severance.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(410-40-A)

WHEREAS, H. Craig Severance (1350 Broadway Realty Corporation, lessee), for Estate of William DeForrest Manice, owner, filed April 17, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 1332-1350 Broadway and 597-617 Sixth avenue, entire block bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings on Alt. Applic. No. 196-40, dated April 8, 1940, reads:

"16. Fireproof roof construction should comply with 10.3.1 Bldg. Code, C26-619.0 Admin. Code; viz, cork or fibre insulation board allowable if covered with 1 $\frac{1}{2}$ inches of Portland cement, concrete or other equally fire-resistive material of equal thickness."

and

WHEREAS, it is proposed to construct an addition to an existing building with a frontage of 82 ft. 11 $\frac{3}{4}$ in. on Broadway, 60 ft. 10 in. on West 35th street, and 77 ft. 6

in. on Sixth avenue, 4 stories (57 ft. 4 $\frac{1}{2}$ in.) in height, of Class 1 construction, located in a restricted retail district; and

WHEREAS, the applicant contends that the main building was erected in 1928 and certificate of occupancy No. 15858 issued November 27, 1929; that the entire premises will be occupied as follows: sub-cellar, pump room, tanks, 5 persons; cellar, stores and manufacturing, 150 persons; first floor, stores, 140 persons; mezzanine, stores, 15 persons; second and third floors, stores, offices and manufacturing, 135 persons each floor; fourth to 16th floors, same 120 persons each floor; 17th and 18th floors, same 95 persons each floor; 19th to 24th floors, same 75 persons each floor; pent house, machinery, 0 persons; that the building is equipped with a sprinkler system and an interior alarm system; that there are two interior fireproof stairways 3 ft. 8 in. wide leading from the street to the roof; and

WHEREAS, the applicant contends it is proposed to lay the roofing directly on top of the 2 in. cork insulation, this roofing to consist of one ply No. 60 asbestos felt, and two plies of No. 20 asbestos felt, all plies mopped solidly with hot asphalt; that the use of 1 $\frac{1}{2}$ in. of Portland cement concrete over the cork insulation will add to the dead weight of the roof, without any increase in fire protection; that as an alternative, it is suggested that the type of roofing be changed from the above asbestos felt, to 4 plies of No. 15 tarred felt, manufactured by the Ruberoid Company, laid in 4 solid moppings of pitch and a final coating of pitch and weighing 105 lbs. per square, in which will be imbedded a 450 lb. mixture of medium $\frac{5}{8}$ in. to coarse 1 in. slag per square.

Resolved, that the decision of the acting borough superintendent, acting on Alt. Applic. No. 196-40, Objection No. 16, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be a top pouring over the top ply of felt of 105 lbs. of high melt-point asphalt or pitch, which may be poured at one time into which there may be embedded slag composed of a mixture of medium $\frac{5}{8}$ in. to coarse 1 in. of an amount not less than 450 lbs. per square; that the ply on the roof shall consist of one ply No. 60 asbestos felt and two plies of No. 20 asbestos felt, all plies mopped in high melt-point asphalt.

514-37-A.

APPLICANT—Commercial Solvents Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze, under various trade names, in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Donald Agnew.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(514-37-A)

WHEREAS, Donald Cruse, applicant, for Commercial Solvents Corporation, owner, filed October 29, 1937, an appeal from a decision of the fire commissioner, affecting the storage and sale of AJAX, AJAX PLUS and NORWAY. Anti-Freeze mixtures in sealed cans not of the type required by section 131, subdiv. 3, chapter 10, Code of Ordinances; and

WHEREAS, the decision of the fire commissioner, dated October 13, 1937, reads as follow:

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"Please be advised that this department disapproves all cans used for packing and shipping anti-freeze (inflammable mixtures) other than the type as specified and provided for in section 131, subd. 4, chapter 10, Code of Ordinances of the City of New York, for the reason that

'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight-fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each'."

and

WHEREAS, the applicant contends that AJAX PLUS Anti-Freeze Mixture is prepared by adding to each 100 gallons of completely denatured alcohol, 4 gallons of kerosene (regular grade), 1 gallon of Stanco Rust Inhibitor and 20 grams of Acid Fuchsin D. The completely denatured alcohol is prepared by adding 100 gallons of ethyl alcohol of not less than 160 degrees proof, 3 gallons of denol or a compound similar thereto, 3 gallons of ST-115 or a compound similar thereto, 1 gallon of gasoline and one-half gallon of hydronol 1 or a compound similar thereto; that NORWAY Anti-Freeze mixture is prepared by adding to 100 gallons of 100 per cent methanol 3 gallons of Non Odor Oil, 1 gallon of Stanco Rust Inhibitor and 16 grams of "Luxol" Fast Blue A. R.; that AJAX Anti-Freeze mixture is completely denatured alcohol to which a small quantity of Stanco Rust Inhibitor is added, no coloring matter is added, but due to the rust inhibitor, AJAX Anti-Freeze has a slight amber color; that it is proposed to market the mixtures in question in one-quart and one-gallon sealed cans; the applicant contends further that the proposed non-refillable containers are offered to the public to protect them against substitution or dilution of the product; that the cans are safe containers for the following reasons; that the product is serviced into an automobile with devices by which the flow from the can can be accurately directed and carefully poured, there is no likelihood that remnants of Anti-Freeze mixture will remain about the premises in containers without a removable top; that all the containers prominently display a caution notice concerning the inflammable nature of the contents; that there is no fire or accident record to justify any restriction of the Anti-Freeze in containers not exceeding one-gallon; and

WHEREAS, it is proposed to market anti-freeze mixtures consisting primarily of denatured alcohol and/or methanol with coloring matter and anti-rust compound added, under various trade names.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 16, 1937, as amended July 18, 1939, so that as amended, it shall read:

"Resolved, that the decision of the fire commissioner dated October 13, 1937, be and it hereby is modified and that the appeal be and it hereby is granted, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal, in one gallon cans and in one quart cans without a tight-fitting replaceable top, on condition that there shall appear on each can, a prominent notice reading 'UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE'; that such notice shall have light colored letters on a red background or red letters on a light colored background; that for the balance of 1937, such cans as are manufactured without this notice shall bear a similar notice pasted upon each can reading as herein required; that after January 1, 1938, such notice shall be part of the lithographed label on the surface of the can; that this lithographed label shall also contain the words 'THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL.

NO. 514-37A'; that this product may be marketed under trade names, as follows: Ajax, Ajax Plus and Norway, together with the name of the manufacturer or agent.

Resolved further, that this material may be marketed under the names, Richfield Super-Anti Freeze (as already permitted under Cal. No. 706-38-a) and Willard Odorless Anti-Freeze and Willard Anti-Freeze, on condition that under whichever name marketed, the requirements of this resolution shall be complied with.

Resolved further, that this product may be marketed under other trade names, provided the name of the manufacturer or agent appears on each can and that each can bears the number of the certificate of approval issued by the fire department with respect therefor; that the anti-freeze mixture containing denatured alcohol shall in all respects comply with the applicable regulations issued by the United States Treasury Department, and that in all other respects the product shall comply with the requirements of this resolution."

VARIATION OF THE LABOR LAW.

411-40-S.

APPLICANT—H. Craig Severance, for Estate of William DeForrest Manice, owner (1350 Broadway Realty Corporation, lessee).

SUBJECT—Variation of the Labor Law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1332-1350 Broadway and 597-617 Sixth avenue, entire block bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob Langfur and H. Craig Severance.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4

0

THE RESOLUTION—

(411-40-S)

WHEREAS, H. Craig Severance (1350 Broadway Realty Corp., lessee), for Estate of William DeForrest Manice, owner, filed April 18, 1940, an application for a variation of the labor law, as cited in a decision of the acting borough superintendent of buildings; premises 1332-1350 Broadway and 597-617 Sixth avenue entire block bounded by Broadway, Sixth avenue, West 35th street and West 36th street (Block No. 811, Lot No. 31), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 196-40, dated March 4, 1940, reads:

"14. Windows should comply with Section 264, Paragraph No. 7, Rule No. 1317, formerly No. 503 of Industrial Code for fireproof window.

15. Doors should comply with Sec. 264, paragraph 5, Labor Law & Rule No. 1316, formerly No. 502, Industrial Code; 1 hour test door required."

and

WHEREAS, it is proposed to construct an addition to an existing building, to have a frontage of 82 ft. 11¾ in. on Broadway, 60 ft. 10 in. on West 35th street, and 77 ft. 6 in. on Sixth avenue; to be four stories (57 ft. 4½ in.) in

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height, of Class 1 construction, and to be located in a restricted retail district; and

WHEREAS, the applicant contends that the main building was erected in 1928 and certificate of occupancy No. 15858 issued November 27, 1929; that the entire premises will be occupied as follows: sub-cellar, pump room and tanks, 5 persons; cellar, stores and manufacturing, 150 persons; first floor, stores, 140 persons; mezzanine, stores, 15 persons; second and third floors, stores, offices and manufacturing, 135 persons, each floor; fourth to 16th floors, same, 120 persons each floor; 17th and 18th, same, 95 persons each floor; 19th to 24th floors, same, 75 persons each floor; pent house, machinery, 0 persons; that the existing building is equipped with a sprinkler system and an interior alarm system; that there are two interior fireproof stairways 3 ft. 8 in. wide leading from the street to the roof; and

WHEREAS, the applicant contends further as to Objection No. 14, that the proposed addition will be fireproof and used for not more than 5 per cent manufacturing; that due to the location of the building the show windows on the second, third and fourth stories are necessary to affect an economic return; that these windows on the second, third and fourth floors will have frames of steel construction, divided into three parts by 6 in. mullions with a single central light of plate glass forming the show window and a triple light projected sash on each side; that at the third and fourth floors the spandrel construction will be of masonry, 3 ft. 3½ in. high; that the show windows will be glazed with ¼ in. thick polished plate glass and will be equipped with lights of the following dimensions:

Broadway	
Second Story	7 ft. 9 in. x 8 ft. 4½ in.
Third Story	7 ft. 9 in. x 8 ft. 0½ in.
Fourth Story	7 ft. 9 in. x 8 ft. 6 in.
Sixth Avenue	
Second Story	6 ft. 6 in. x 8 ft. 4½ in.
Third Story	6 ft. 6 in. x 8 ft. 0½ in.
Fourth Story	6 ft. 6 in. x 8 ft. 6 in.
West 35th Street	
Second Story	6 ft. 11 in. x 8 ft. 4½ in.
Third Story	6 ft. 11 in. x 8 ft. 0½ in.
Fourth Story	6 ft. 11 in. x 8 ft. 6 in.

that as to Objection No. 15, that this objection refers to the corridor doors leading from the office and showroom space on the second, third and fourth floors, and permission is requested to use hollow metal doors with wire glass panels; that these doors, except for the wire glass panel will be of a type approved by the Board as a 1½ hour test fire door; that in the existing 24 story portion of the building the corridor doors are all of metal construction with full length glass panels; that the doors which it is proposed to install in the new portion will be of similar construction; that as the extension will be devoted entirely to offices and showrooms, solid door panels would be objectionable from the tenants point of view and would detract from the rentability.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 196-40, objection No. 14, be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that the windows as proposed shall be constructed as proposed on the second, third and fourth floors with steel frames and sash, and that the size of glass panels shall be as indicated, provided that the glass on the fourth floor shall be polished wire plate; as to objection No. 15, that the doors opening upon corridors throughout shall be of a type tested and approved for 1½ hour, of hollow metal construction, and which may be glazed with ¼-inch wire plate glass not exceeding 720 sq. in. per door; that these doors may be hung either singly or in pairs with astragal.

APPLIANCES SUBMITTED FOR APPROVAL.
334-39-SA.

APPLICANT—Donald French, for Carrier Corporation, owner.

SUBJECT—Carrier Oil Burner, Model 62D5, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

94-40-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Automatic Stoker, Type 63C, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

101-40-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Gas-Fired Unit Heater, Type 46J, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

17-35-SA.

APPLICANT—Cleveland Steel Products Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re approval of additional name "Westinghouse Oil Burner, Model K" (previously approved re Torridheet Oil Burner, Model G).

APPEARANCES—

For Applicant: Joseph F. Donnelly.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(17-35-SA)

WHEREAS, Joseph F. Donnelly, for Cleveland Steel Products Corp., owner, filed January 17, 1935, an application with the Board of Standards and Appeals, for approval of the device known as the Torridheet Oil Burner, Model G; and

WHEREAS, the device was submitted to the engineer of the Board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the Board and of the representatives of the bureau of combustibles, approved

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ly the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is a mechanical draft pressure atomizing gun type and consists of the following assembly:

A Leland $\frac{1}{8}$ H.P. motor; Webster fuel unit, consisting of pump strainer, regulating and cut off valve; Sirocco type fan and Harsche nozzles. Capacity of the nozzles varies from 1.35 gallons to 3.65 gallons per hour.

Ignition—Electric. Webster transformer 110-10,000 volts.

Controls — Minneapolis Honeywell Protectorelay, Model R, 117-3 and Minneapolis Honeywell Pressure-trol, Type 404.

With the oil supply shut off, the burner was operated and on two successive tests the controls shut down the machine in 91 and 93 seconds, respectively. The burner was then operated under normal conditions for approximately one-half hour. The flame was continuous non-fluctuating and free from smoke and soot. An examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Toridheet Oil Burner, Model G, be approved for domestic use when installed in accordance with the Oil Burner Rules, adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3.

and

WHEREAS, this burner was approved by the Board May 28, 1935, and applicant requested permission to market the burner under the name "Westinghouse Oil Burner, Model K."

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 28, 1935, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals *does* hereby approve the device known as Toridheet Oil Burner, Model G, for domestic installations, when installed in accordance with the oil burner rules of the Board of Standards and Appeals, for use with fuel oil not heavier than No. 3 *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 17-35-SA.

Resolved further, that this burner may be sold under the name Westinghouse Oil Burner, Model K, on condition that under whichever name marketed the requirements of this resolution shall be complied with.

201-38-SA.

APPLICANT—General Electric Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re General Electric Oil Burner—to include approval of Models DB20 and DB26 (Model DB2 previously approved by the Board).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

THE RESOLUTION—

(201-38-SA)

WHEREAS, the General Electric Company, owner, filed March 28, 1938, an application with the Board of Standards and Appeals for approval of their device known as the General Electric Oil Burner, Type DB-2; and

WHEREAS, this device was referred to the engineer of the Board for test and report; and

WHEREAS, the report of the engineer of the Board, supplemented by that of the representatives of the Division of Combustibles of the Fire Department, was substantially as follows:

This burner is of the pressure atomizing type, and is designed for use in conversion type installations. It is similar in all respects to the burner already approved under Calendar No. 228-33-SA, and consists of the following assembly:

A horizontal radial fan; GE rotary self-priming pump; GE 1/20 H.P. motor; GE 3/6 to 1 gallon per hour nozzle. Pressure regulating valve is incorporated in the pump assembly.

Ignition—Electric; GE transformer being used.

Controls—A pressuretrol and flame detector, manufactured by the General Electric Company. These controls are actuated by means of a Telechron motor.

The controls were tested with a cold combustion chamber and oil supply shut off, and it was found that same functioned as designed. The oil supply was then turned on and the burner put into a normal operation. During the period of test there were no flare blacks due to faulty ignition, and the flame was clean and free of smoke. Examination of the combustion chamber showed no undue carbonic deposits.

As a result of this inspection and test it is recommended that the General Electric Oil Burner, Type DB-2 be approved for domestic use, with fuel oil not heavier than No. 4 U. S. Dept. of Commerce standards, when installed in accordance with the rules adopted by the Board of Standards and Appeals.

and

WHEREAS, this burner was approved by the Board April 12, 1938, and the applicant requested an amendment of the resolution to include approval of Models DB-20 and DB-26; and

WHEREAS, these models were submitted to the Committee on Tests, for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 201-38-SA.

Subject: Approval of General Electric Oil Burner, Models DB-20 and DB-26.

This model was inspected and tested at 1321 Flatbush avenue, Brooklyn.

The burner under operation at this time was a model DB-20. This burner is identical with the conversion type burner already approved on April 12, 1938, by the Board of Standards and Appeals, with the exception of slight changes in the controls incorporated in these types. The burner is of the pressure atomizing type and is designed for use in conversion type installations. It consists of a horizontal radial fan, a GE rotary self-priming pump, a GE 1/20 H.P. motor and a GE nozzle with a capacity from 3/6 to 1 gallon per hour. A pressure regulating valve is incorporated in the pump assembly.

Ignition—Electric; GE transformer.

Controls—A pressuretrol and flame detector, manufactured by the General Electric Company.

These controls are actuated by means of a two-stage Telechron control, in which it differs from the original approval, which control had a 3-stage operation cycle. Further, the flame detector is now made as an independent unit for the purpose of easy servicing. The

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Model DB-26 is identical with the burner described above with the exception that it has been manufactured for adaptation to hot air heating furnaces.

The controls were tested with a cold combustion chamber and oil supply shut off, and it was found that same functioned as designed. The oil supply was then turned on and the burner put into a normal operation. During the period of test there were no flare backs due to faulty ignition, and the flame was clean and free of smoke. Examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the resolution of the Board adopted April 12, 1938, be amended, so as to include the approval of Models DB-20 and DB-26 under the same conditions as set forth therein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the amendment of the resolution so as to include the approval of these additional models,

Resolved, that the resolution of the Board adopted April 12, 1938, be amended, so that as amended, it shall read:

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as General Electric Oil Burner, Types DB-2, DB-20 and DB-26, for use in domestic installation with fuel oil not heavier than No. 4 U. S. Dept. of Commerce standards on condition that the installation shall conform to the oil burner rules of the Board of Standards and Appeals and that the appliance shall bear a label permanently affixed thereto reading:

NOTICE
APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 201-38-SA.

426-38-SA.

APPLICANT—R. E. Daly, for American Radiator Company, owner.

SUBJECT—Amendment to resolution to include approval of Arcoflame Oil Burner Model L.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(426-38-SA)

WHEREAS, R. E. Daly, for the American Radiator Company, owner, filed May 31, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Arcoflame Oil Burner; and

WHEREAS, this appliance was approved by vote of the Board July 12, 1938; and

WHEREAS, the applicant requested amendment of the resolution to include approval of Model C; and

WHEREAS, the resolution was so amended by vote of the Board July 18, 1939, in accordance with the report of the committee on tests; and

WHEREAS, the applicant subsequently requested amend-

ment of the resolution to include approval of Model L; and
WHEREAS, this application was reopened February 20, 1940, and the new model referred to the committee on tests, for test and report, which report reads as follows:

REPORT OF COMMITTEE ON TESTS.

April 24, 1940.

Re: Cal. No. 426-38-SA.

Amendment of resolution to include Approval of Arcoflame Oil Burner, Model L.

H. H. Richfield, for the American Radiator and Standard Sanitary Corporation, owner, requested February 15, 1940, a reopening of Cal. No. 426-38-SA to include the approval of the Arcoflame Oil Burner, Model L.

This application was reopened February 20, 1940, for test and report.

This model is similar to Models B and C approved by the Board except that it is of greater capacity using up to 7 gals. of oil per hour.

The motor is Ohio 1/6 H.P. instead of 1/8, and the controls are similar to the controls, provided for Model C. This model was inspected and tested at the testing laboratory of the Company at Cross Country parkway in the Bronx and was found to operate satisfactorily.

It is recommended that the resolution of the Board of July 18, 1939, be amended to include Model L, under the same conditions.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution to include approval of Model L.

Resolved, that the resolution adopted by the Board on July 12, 1938, as amended July 18, 1939, be amended, so that as amended, it shall read:

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Arcoflame Oil Burner, Model B, Model C and Model L, for domestic, commercial and industrial installation, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, on condition that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 426-38-SA."

113-40-SA.

APPLICANT—Pyrene Manufacturing Company, owner.

SUBJECT—Pyrene and Vangarde One Quart Fire Extinguishers (Vaporizing Liquid Types), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(113-40-SA)

WHEREAS, The Pyrene Manufacturing Company, owner,

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filed January 30, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Pyrene One Quart Fire Extinguisher (also known as Vangarde); and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 113-40-SA.

Subject: Approval of the Pyrene One Quart Fire Extinguisher (also known as Vangarde)

The Pyrene Manufacturing Company, owner, filed January 30, 1940, an application with the Board of Standards and Appeals for approval of the Pyrene One Quart Fire Extinguisher (also known as Vangarde) under the provisions of C26-191.0, Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

This extinguisher is of the vaporizing liquid type and consists of a double action liquid pump containing one quart of pyrene (C CL') when the extinguisher is pointed downward the pump draws liquid through the suction point in the lower valve chamber and when inverted from the upper valve chamber, on operating the piston, valves are opened and closed so that on changing direction of stroke a continuous positive stream discharge is obtained.

This appliance has been approved by the Underwriters Laboratories, Guide No. 100 x 3, File No. EX 239, March 30, 1938. The appliance has been inspected and tested by the Committee of the Board.

On the basis of the above test and the approval of the Underwriters Laboratories, it is recommended that this appliance be approved under Rule 39 of the Fire Department, now a rule of the Board of Standards and Appeals, and the Oil Burner Rules of the Board of Standards and Appeals, on condition that the appliance bear a label permanently affixed reading: Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 113-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as Pyrene One Quart Fire Extinguisher, and Vangarde One Quart Fire Extinguisher, *on condition* that the appliance be manufactured, installed, operated, and labelled, stamped or tagged in accordance with above report.

391-40-SA.

APPLICANT—Wm. V. McDevit, for Martin and Schwartz, Inc., owner.

SUBJECT—Martin and Schwartz, Inc., Pneumatic Hose Control No. 12565-M and M-1 for Power Operated Gasoline Pumps, approval of.

APPEARANCES—

For Applicant: William McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(391-40-SA)

WHEREAS, Wm. V. McDevit, for Martin and Schwartz, Inc., owner, filed April 15, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Martin and Schwartz, Inc., Pneumatic Hose Control, No. 12565-M and M-1; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

April 25, 1940.

Cal. No. 391-40-SA.

Subject: Martin and Schwartz, Inc., Pneumatic Hose Control, No. 12565-M and M-1.

Wm. V. McDevit, for Martin and Schwartz, Inc., of Salisbury, Maryland, owner, filed April 15, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as Martin and Schwartz, Inc., Pneumatic Hose Control No. 12565-M and M-1 under the provisions of the Admin. Code—PNEUMATIC HOSE CONTROL FOR POWER OPERATED GASOLINE DISPENSING PUMPS

The assembly consists of a standard Underwriters' listed hose "H" to which has been added a section of rubber and fabric throughout the entire length on one side, encasing a small air passage "P", approximately 3/32 in. in diameter.

An oil and gasoline resisting rubber bulb is attached to the hose at a short distance from the nozzle end and conveniently located for the operator.

The bulb is connected to the 3/32 in. diameter passage by means of a short copper tube.

The pump end of the hose is connected by suitable fittings to a small diameter copper tube which extends inside the house and which is connected at its lower end to a bellows-operated switch. The switch controlled by the bellows is enclosed in an explosion-proof conduit and is connected in series with the regular switch provided in the motor. This arrangement makes it necessary always to have both switches in the closed position to run the motor, and by opening either switch the motor can be stopped. The control of each switch is separate from and entirely independent of the other. The rubber bulb is provided with a small vent opening. This allows the system to be completely filled with air at all times and also prevents any building up of pressure due to a rise in atmospheric temperature during idle periods that might cause the bellows switch to be held in the closed position.

In order that the hose may be operated, the operator holds his hand over vent opening in bulb and also holds the nozzle. Upon dropping hose motor will stop. Motor can be stopped just by moving switch lever to off positions.

This appliance was inspected and tested at a gasoline station located at Reade and Lafayette streets and found to operate satisfactorily.

On the basis of this inspection and test it is recommended that the Martin and Schwartz, Inc., Pneumatic Hose Control No. 12565 M and M-1 be approved for use in New York City with gasoline dispensing pumps on condition that the appliance have a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 391-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

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WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Martin and Schwartz, Inc., Pneumatic Hose Control, No. 12565-M and M-1, on condition that the appliance be manufactured, installed, operated, and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

213-40-SM.

APPLICANT—New England Lime Company, owner.

SUBJECT—Nelco Snowite, Granular, Granulated and Pulverized Quicklime, approval of.

APPEARANCES—

For Applicant: William F. Campbell.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(213-40-SM)

WHEREAS, The New England Lime Company, of Adams, Massachusetts and Canaan, Connecticut, owner, filed February 28, 1940, an application with the Board of Standards and Appeals for the approval of the material known as Nelco, Snowite Granular Finishing Lime, Nelco Adams Granular Finishing Lime, Nelco Granulated Masonry Lime, Nelco Pulverized Masonry Lime, Nelco Ez-on Blended Finish, Nelco Masons Hydrate, Nelco Finishing Hydrate and Nelco Pulvo Quicklime; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

April 4, 1940.

Re: Cal. No. 213-40-SM.

Subject:

Nelco Snowite Granular Finishing Lime—Adams, Mass.

Nelco Adams Granular Finishing Lime—Adams, Mass.

Nelco Granulated Masonry Lime —Adams, Mass.

Nelco Pulverized Masonry Lime —Adams, Mass.

Nelco Ez-on Blended Finish —Canaan, Conn.

Nelco Masons Hydrate —Canaan, Conn.

Nelco Finishing Hydrate —Canaan, Conn.

Nelco Pulvo Quicklime —Canaan, Conn.

The New England Lime Company of Adams, Massachusetts and Canaan, Connecticut, filed an application on February 28, 1940, with the Board of Standards and Appeals for the approval of their material as listed above under C26-312 a.b (7.1.1.7, 1-2) and C26-313 (7.1.1.8.1).

The Nelco Adams Finishing Quicklime and Masonry Quicklime and Nelco Snowite Finishing Limes are manufactured at Adams, Mass., from a high calcium crystalline marble. After quarrying, the stone is sized in two stages to about 2 inches, after which it is stored in a silo. The stone is then drawn from the silo at a constant feed to a Hammer Mill where it is further crushed to a size of 1/6 inch. The dust and fine impurities are then separated by air and the clean stone is then fed continuously and at a measured rate of flow thru a rotary kiln in a direction counter current to the heat generated by oil firing. After calcination, the hot material passes through a rotary cooler to a storage bin where it is stored as granular lime, or may be processed in a ring roll mill to pulverized lime, or by passing through a hydrator, it becomes hydrated lime.

All stone is screen analyzed after dust removal, and a continual sample is taken from the cooler and physical

and chemical determinations are made of the run every day at each plant by the plant chemist.

The Pulvo Quicklime, Nelco Masons Hydrate, Nelco Finishing Hydrate and Ez-on Blended Finish are all made at Canaan, Connecticut, from a dolomitic marble containing equimolecular proportions of magnesium and calcium carbonate. After quarrying the stone is hand selected and put in the stack kilns. The fire is wood and coal fed. The hot gases pass through the stone in the stack, even combustion being maintained by the addition of coal. The kilns are drawn every four hours and the lime is taken out in lump form. It is then hand selected and analyzed and if satisfactory it is then ready as lump lime. When granulated it is known as Pulvo Masonry Quicklime. After pulverizing it is then hydrated into Nelco Masons Hydrated Lime. To this hydrated lime is blended prepared marble flour in the proportion of 80 parts hydrated lime to 20 parts of flour and it becomes Ez-on Blended Finish.

The pulverized lime is packed in 80 lb. multi-wall bags and 280 lb. barrels. The hydrated lime and Ez-on are packed in 50 lb. bags.

It is estimated that the raw materials for the products are listed herein will be available for at least fifty years.

Samples of these materials were selected at the plants by a representative of the Board and submitted to tests at the laboratories of the R. W. Hunt Co., Chicago, Illinois. Reports 73201-2-3 and 73137 are filed in the application. The results of these tests are as follows:

Ez-on Blended Finish

	Results	Required A.S.T.M. C6-31
Calcium Oxide	43.34	
Magnesium Oxide	29.92	
Carbon Dioxide	9.08	7.00 Maximum
Volatile	25.19	
Calculated on Non-Volatile Portion—Total Calcium & Magnesium Oxides	97.93	95.00 Minimum
Residue No. 30 sieve	.50	.50 Maximum
Residue No. 200 sieve	10.70	15.00 Maximum
Soundness	Sound	Sound
Plasticity (Emley)	306.80	200. Minimum
	No Rupture	

Nelco Pulverized Masonry Lime

(calculated to non-volatile portion)

	Results	Required A.S.T.M. C5-26
Calcium Oxide	96.64	75.00 Minimum
Magnesium Oxide	.66	20.00 Maximum
Calcium & Magnesium Oxides	97.30	95.00 Minimum
Silica, Alumina & Iron Oxide	2.32	5.00 Maximum
Carbon Dioxide	.75	10.00 Maximum
Residue No. 30 sieve	None	None
Residue No. 200 sieve	None	15.00 Minimum
Plasticity (Emley)	598.4	—
	No Rupture	

Nelco Snowite Finishing Lime

(calculated to non-volatile portion)

	Results	Required A.S.T.M. C5-26
Calcium Oxide	96.13	75 Minimum
Magnesium Oxide	.81	20 Maximum
Calcium & Magnesium Oxide	96.94	95 Minimum
Silica, Alumina & Iron Oxide	2.68	5 Maximum
Carbon Dioxide	4.52	10 Maximum
Residue No. 30 sieve	None	None
Residue No. 200 sieve	None	15.00
Plasticity (Emley)	751.7	—
	No Rupture	

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Nelco Pulvo

(calculated to non-volatile portion)

	Results	Required A.S.T.M. C5-26
Calcium Oxide	66.12	No Requirement
Magnesia	32.28	20 Minimum
Calcium & Magnesium Oxides	98.40	95 Minimum
Silica, Alumina, Iron Oxide	1.59	5 Maximum
Carbon Dioxide	1.44	3 Maximum
Volatile		(sampled at kiln) 10 Maximum (if sampled at any other place)
Residue No. 20 sieve	.34	
Plasticity (Emley)	746.7 (No Rupture)	

Nelco Finishing Hydrated Lime

(calculated to non-volatile portion)

	Results	Required A.S.T.M. C6-31
Calcium & Magnesium Oxides	97.84	95.00 Minimum
Carbon Dioxide	4.65	7.00 Maximum
Residue No. 30 sieve	.53	.50 Maximum
Residue No. 200 sieve	1.89	15.00 Maximum
Soundness	Sound	Sound
Plasticity (Emley)	282.8	200 Minimum
	(No Rupture)	

Nelco Masons Hydrate

	Results	Required A.S.T.M. C6-31
Calcium & Magnesium Oxides	97.30	95.00 Minimum
Carbon Dioxide	3.77	7.00 Maximum
Residue No. 30 sieve	2.50	.50 Maximum
Residue No. 200 sieve	16.25	15.00 Maximum
Soundness	Sound	Sound
Plasticity (Emley)	210.3	
	(No Rupture)	

On the basis of the foregoing data it is recommended that Nelco Granulated Quicklime for Masonry, Nelco Pulverized Quicklime for Masonry, Nelco Masons Hydrate for Masonry, Nelco Snowite Finishing Lime for Finishing, Nelco Granular Quicklime for Finishing, Ez-on Blended Finish for Finishing, and Nelco Finishing Hydrate for Finishing be approved for use in New York City pursuant to Section C26-312.0a (7.1.1.7.1-2-BC) C 26-463-4.0 — C26-313 (7.1.1.8.1) C26-463-4.0 (8.4.10.7-8 BC) when maintained to the specifications contained herein on condition that monthly mill test reports from each mill, certified by the applicant's chemists be filed with the Board and that all bags and barrels be tagged, labeled or marked:

"Approved for use in New York City by the Board of Standards and Appeals, when used in accordance with the requirements of Cal. No. 213-40-SM."

It is further recommended that in using these materials precautions shall be taken as follows during the slaking:

LUMP QUICKLIME FOR FINISH COAT

1. Quicklime when slaked must be brought to boiling point so as to bring out plasticity and cementing strength.
2. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
3. When action has stopped, to prevent cracking, add white sand at the rate of 1 cubic foot to 280 pounds of lime, and then run slaked putty through mesh or finer

screen to remove coarse grit or overburned lime.

4. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.

5. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.

6. Store for two weeks before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

7. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

GRANULAR AND PULVERIZED QUICKLIME FOR FINISH COAT

1. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.

2. Place in a ratio of 20-25 gallons of clean water to 80 pounds of lime in a water-tight box. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.

3. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.

4. Store for at least 72 hours before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

5. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

SLAKED QUICKLIME FOR SCRATCH COAT

1. While the quicklime is slaking and immediately before completion of slaking, distribute hair or fibre at the rate of 2 pounds to each 100 pounds of lime uniformly by thorough hoeing before adding any sand. Clean, sharp sand shall be added at the rate of two parts of sand to one part of putty.

2. Store for two weeks before using, and protect against drying and frost action.

QUICKLIME FOR BROWN COAT

1. Same as for scratch coat, using slightly less hair and adding sand at the rate of three parts to one part of putty by volume.

2. Store for at least two weeks before using.

ALL QUICKLIMES FOR MASONRY

1. Same precaution to be used as for quicklime for finish coat, excepting that the putty may be used after storage for at least 48 hours with no addition of hair or screening.

HYDRATED LIME FOR FINISH COAT

1. Add the lime to the water, not the water to the lime.

2. Put the required amount of water (5 to 6½ gallons per 50-pound bag) in the container and add hydrated lime, screening it through herringbone lath until the hydrated lime appears above the surface of the water; then place dry hydrated lime over the entire

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surface of the hydrated lime in the box to take up excess water and giving a medium stiff putty.

3. Store for at least 24 hours prior to using.

4. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keene cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

HYDRATED LIME FOR MASONRY MORTAR

1. As this is already slaked, put required amount of water in water-tight box; add hydrated lime by spreading the lime in the box until it appears above the surface of the water; then spread evenly sufficient quantity of dry lime over the entire surface to absorb excess water, continuing until a medium stiff putty is obtained.

2. Allow to stand for at least 24 hours to develop plasticity, protecting from frost and covering to prevent drying out.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the materials known as Nelco Snowite Granular Finishing Lime, Nelco Adams Granular Finishing Lime, Nelco Granulated Masonry Lime, Nelco Pulverized Masonry Lime, Nelco Ez-on Blended Finish, Nelco Masons Hydrate, Nelco Finishing Hydrate and Nelco Pulvo Quicklime, on condition that these materials be manufactured, used, and labeled, stamped or tagged in accordance with above report.

247-40-SM.

APPLICANT—R. D. Bates (agent), for H. E. Millard, owner.

SUBJECT—Millard's Modern Pebble Lime, $\frac{1}{4}$ Inch and $\frac{5}{8}$ Inch, Millard's Modern Pulverized Lime, Millard's Modern Granular Lime and Sweet Arrow Masons Hydrated Lime, approval of.

APPEARANCES—

For Applicant: K. F. Pinnigar.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(247-40-SM)

WHEREAS, R. D. Bates (agent), for H. E. Millard, owner, filed March 6, 1940, an application with the Board of Standards and Appeals for approval of the material known as Millard's Modern Pebble Lime, $\frac{1}{4}$ Inch and $\frac{5}{8}$ Inch, Millard's Modern Pulverized Lime, Millard's Modern Granular Lime and Sweet Arrow Masons Hydrated Lime; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

April 27, 1940.

Re: Cal. No. 247-40-SM.

Subject: Millard's Modern Pebble Lime, $\frac{1}{4}$ Inch and $\frac{5}{8}$ Inch, Millard's Modern Pulverized Lime, Millard's Modern Granular Lime and Sweet Arrow Masons Hydrated Lime.

The R. D. Bates Company of New York filed on March 6, 1940, in behalf of H. E. Millard, Annville, Pennsylvania, an application with the Board of Standards and Appeals for the approval of their lime products as listed under C 26-312, a, b, (7.1.1.7-1-2) & C 26-313 (7.1.1.8.1.).

These lime products are manufactured at Annville, Pennsylvania, from high calcium limestone deposits, consisting in area of 5,000 acres indicative of raw material supplies for an indefinite period.

Material is delivered from the quarry to a screen which separates the oversized stone. The oversized stone is crushed in a Kennedy gyratory crusher. This crusher is so set that 50 per cent. will pass a $2\frac{1}{2}$ -inch mesh screen and be retained on a $1\frac{1}{2}$ -inch screen. This size stone is carried from the crusher by conveyors and skip hoists to silos where it is then fed as required to the kilns.

The kiln consists of a 290-foot Unax which is fired by pulverized coal with temperature and draft controls mounted on a two-panel board within control of the operator. Exhaust gases are analyzed and registered. Attempts are made to control CO_2 to 30 per cent. and carbon monoxide and hydrogen to one-tenth of one per cent.

During the burning, checks are made to regulate the speed and heat of the kiln so as to insure thorough burning. An inspector runs slaking tests every twenty minutes. Impurities and faulty lumps of lime are extracted by hand from a conveyor which conveys the burnt material to the storage silo. A vibrating screen separates the fines under $\frac{1}{4}$ inch which are directed to the hydrating plant. The larger sizes are screened and directed to their proper silos. From the feed silos, lime larger than $\frac{1}{4}$ inch is fed to a Smidth Atox mill, which is a combination pulverizer and separator. Granulated and pulverized lime is controlled to a fineness of 99 per cent. through a 200-mesh sieve. Lime to be hydrated is ground to minus 8 mesh in a hammer mill so that 35 per cent of the lime will pass 300-mesh sieve. It is fed into the hydrator by a volumetric feeder, passing through a pug mill to the Kreitzer hydrator where it is hydrated by means of high pressure sprays and then seasoned in a large tunnel and processed as required for shipment.

The $\frac{1}{4}$ -inch and $\frac{5}{8}$ -inch material is sold in bulk as Millard's Modern Pebble Lime.

The pulverized lime is packed in 80-pound multi-wall bags and 280-pound barrels.

The hydrated lime is packed in 50-pound two-ply paper bags.

The granular lime is packed in multi-wall paper bags and 280-pound barrels.

Samples of these materials were selected at the plants by a representative of the Board and submitted to tests at the laboratories of The Haller Testing Laboratories, New York City, New York. Reports 44236-7-8-9. The results are as follows:

Millard's Modern Pebble Lime $\frac{1}{4}$ -Inch

	Results	A.S.T.M.*	Required
		C5-26	A.S.T.M. C-49-24
Calcium Oxide	93.40	75%*	92.00% min.
Magnesium Oxide ..	2.64	20%*	3.00% max.
Calcium and Magnesium Oxides	96.04	95%* min.	95.00% min.
Silica, Alumina and Iron Oxides	2.59	5%*	1.50% max.

MINUTES

Carbon Dioxide	1.76	3%*	5.00% max.
Residue No. 20 Sieve	5.90	No Req.	No Req.

Millard's Modern Pebble Lime 5/8-Inch

Calcium Oxide	92.70	75%*	92.00% min.
Magnesium Oxide . .	2.50	20%*	3.00% max.
Calcium and Magnesium Oxides	95.20	95%* min.	95.00% min.
Silica, Alumina and Iron Oxides	4.19	5%*	1.50% max.
Carbon Dioxide	1.43	3%*	5.00% max.
Residue No. 20 Sieve	3.25	No Req.	No Req.

Millard's Modern Pulverized Lime

Calcium Oxide	92.91	75% min.	
Magnesium Oxide . .	2.92	20% max.	
Calcium and Magnesium Oxides	95.83	95% min.	
Silica, Alumina and Iron Oxides	2.80	5% max.	
Carbon Dioxide	.90	3% max.	
Residue No. 20 Sieve	.043%	No Req.	
Plasticity (Emley) .			

Sweet Arrow Masons Hydrated Lime

A.S.T.M.
C6-31

	Results	Required
Calcium and Magnesium Oxides	95.80	95% min.
Carbon Dioxide	3.21	5% max.
Residue No. 30 Sieve	0.00	50% max.
Residue No. 200 Sieve	6.00	15% max.
Soundness	Sound	Sound

On the basis of the foregoing data it is recommended that Millard's Pebble Lime, 1/4-Inch and 5/8-Inch, be approved for use in the manufacture of sand lime brick as defined in C26-260.(1.17) and that Millard's Pebble Lime, 1/4-Inch, Millard's Modern Pulverized Lime and Sweet Arrow Masons Hydrated Lime be approved for use in masonry mortar under C26-312, a, b, (7.1.1.7.1-2) and C26-313.0 (7.1.1.8.1) and in scratch, brown and finish coats of plaster under C26-403-4.0 (8.4.10.7-8) when maintained to the specifications contained herein, on condition that monthly mill test reports certified by the applicant's chemist be filed with the Board and that all bills of lading, bags and barrels be tagged, labeled or marked:

"Approved for use in New York City by the Board of Standards and Appeals, when used in accordance with the requirements of Cal. No. 247-40-SM."

It is further recommended that in using these materials precautions shall be taken as follows during the slaking:

LUMP QUICKLIME FOR FINISH COAT

1. Quicklime when slaked must be brought to boiling point so as to bring out plasticity and cementing strength.
2. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
3. When action has stopped, to prevent cracking, add white sand at the rate of one cubic foot to 280 pounds of lime, and then run slaked putty through mesh or finer screen to remove coarse grit or overburned lime.
4. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.
5. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.
6. Store for two weeks before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

7. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

GRANULAR AND PULVERIZED QUICKLIME FOR FINISH COAT

1. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
2. Place in a ratio of 20-25 gallons of clean water to 80 pounds of lime in a water-tight box. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.
3. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.
4. Store for at least 72 hours before using, keeping the putty well covered to prevent rapid drying and protect against frost action.
5. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

SLAKED QUICKLIME FOR SCRATCH COAT

1. While the quicklime is slaking and immediately before completion of slaking, distribute hair or fibre at the rate of two pounds to each 100 pounds of lime uniformly by thorough hoeing before adding any sand. Clean, sharp sand shall be added at the rate of two parts of sand to one part of putty.
2. Store for two weeks before using, and protect against drying and frost action.

QUICKLIME FOR BROWN COAT

1. Same as for scratch coat, using slightly less hair and adding sand at the rate of three parts to one part of putty by volume.
2. Store for at least two weeks before using.

ALL QUICKLIMES FOR MASONRY

1. Same precaution to be used as for quicklime for finish coat, excepting that the putty may be used after storage for at least 48 hours with no addition of hair or screening.

HYDRATED LIME FOR FINISH COAT

1. Add the lime to the water, not the water to the lime.
2. Put the required amount of water (5 to 6 1/2 gallons per 50-pound bag) in the container and add hydrated lime, screening it through herringbone lath until the hydrated lime appears above the surface of the water; then place dry hydrated lime over the entire surface of the hydrated lime in the box to take up excess water and giving a medium stiff putty.
3. Store for at least 24 hours prior to using.
4. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

MINUTES

HYDRATED LIME FOR MASONRY MORTAR

1. As this is already slaked, put required amount of water in water-tight box; add hydrated lime by spreading the lime in the box until it appears above the surface of the water; then spread evenly sufficient quantity of dry lime over the entire surface to absorb excess water, continuing until a medium stiff putty is obtained.

2. Allow to stand for at least 24 hours to develop plasticity, protecting from frost and covering to prevent drying out.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Millard's Modern Pebble Lime, 1/4-Inch and 5/8-Inch, Millard's Modern Pulverized Lime, Millard's Modern Granular Lime and Sweet Arrow Masons Hydrated Lime, on condition that these materials be manufactured, used, and labeled, stamped or tagged in accordance with above report.

Adjourned, 5:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING.

FRIDAY MORNING, MAY 3, 1940 at 10 A.M.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

APPEALS FROM ADMINISTRATIVE DECISIONS.

1535-39-A.

APPLICANT—Samuel Gardstein, for David Forman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel, Samuel Gardstein and Samuel M. Berley.

For Opposition: Harold Klorfein, Department of Parks, and Inspector Rattinger, Fire Department.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 10, 1940, at 10 A.M., for continuation of argument.

1536-39-A.

APPLICANT—Samuel Gardstein, for Charles Berk, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street,

Huron street and Shore boulevard (Block No. 2415, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel, Samuel Gardstein and Samuel M. Berley.

For Opposition: Harold Klorfein, Department of Parks, and Inspector Rattinger, Fire Department.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 10, 1940, at 10 A.M., for continuation of argument.

1537-39-A.

APPLICANT—Samuel Gardstein, for Morton Pickman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—155-04 Killarney street, southwest corner of 155th avenue (Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel, Samuel Gardstein and Samuel M. Berley.

For Opposition: Harold Klorfein, Department of Parks, and Inspector Rattinger, Fire Department.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 10, 1940, at 10 A.M., for continuation of argument.

1538-39-A.

APPLICANT—Samuel Gardstein, for Sam Berley, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel, Samuel Gardstein and Samuel M. Berley.

For Opposition: Harold Klorfein, Department of Parks, and Inspector Rattinger, Fire Department.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 10, 1940, at 10 A.M., for continuation of argument.

124-40-A.

APPLICANT—Joseph E. Herman, Acting Borough Superintendent of Buildings, Borough of Manhattan.

OWNER OF PREMISES—Emmar Cronan.

SUBJECT—Application for revocation of Certificate of Occupancy No. 25551.

PREMISES AFFECTED—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred Dahlem.

For Opposition: John Lauer.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., pending filing of building zone application.

354-40-A.

APPLICANT—Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

MINUTES

OWNER OF PREMISES—Paul and Juliet Toth.
SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N.B. 3110-37.
PREMISES AFFECTED—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Joseph Ferro.
For Opposition: Arthur A. Wilson.
ACTION OF BOARD—Laid over to May 14, 1940 at 2 P.M., on request of representative of owner.

RULES.

294-40-SR.
SUBJECT—Adoption of Rules for Tests of Fire-Resistive, Flameproofed Materials, Such as Textiles, Paper, Similar Materials and Adhesives Used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials for Use in Places of Public Assembly and Special Occupancy Structures.
APPEARANCES—
G. R. Cross and R. C. Bastress.
For Administration: Inspector Horwitz, Fire Department.
ACTION OF BOARD—Rules adopted (see page 668 of this Bulletin).
THE VOTE TO ADOPT RULES—
Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative: Assistant Chief McCarthy 1

Adjourned, 5:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on February 28, 1939, as they appeared in Bulletin No. 10, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(1-32-A)

WHEREAS, L. E. Driver, for New York Dock Company, owner, filed January 4, 1932, an appeal from an order of the fire commissioner, affecting premises 249-255 King street and 202-208 Sullivan street, north side, 240 ft. west of Ferris street (Block No. 553, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated December 15, 1931 (re Order No. 91046-F), reads:

"Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Sec. 580-1, Ch. 5, Code of Ordinances."

and

WHEREAS, the building is non-fireproof, two stories (30 ft.) in height, 75 ft. 8 in. by 200 ft. 2 in. (about 14,500 sq. ft.) in area; occupied for the manufacture of metal lamps: 1st story, 84 persons; 2nd story, vacant, normal occupancy 60 persons; equipped with a two-source automatic dry sprinkler system; and

WHEREAS, the appellant claims the building was erected prior to 1882, of heavy, slow-burning, semi-mill type construction; there is a city fire alarm box and water hydrants in the immediate vicinity and watchmen are on duty day and night; in addition to the sprinkler system there is a fire bucket tank on each story with five pails on first story and four pails on second story; furthermore, the appellant contends the building is provided with adequate exits and ample fire protection; and

WHEREAS, the building was erected in 1882, is but two

stories in height, with no basement, and is equipped with a dry pipe sprinkler system supplied from a 25,000-gallon tank and street connection to the city main; and

WHEREAS, this appeal was granted February 23, 1932, on certain conditions, and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on February 23, 1932, be and it hereby is amended, so that as amended the resolution will read:

"Resolved, that the order of the fire commissioner be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the building shall not be increased in height or area; that the sprinkler system fed from the 25,000-gallon gravity tank located on adjoining premises shall be maintained; that such fire-fighting appliances shall be installed as the fire commissioner shall direct; that if any openings are made between this building and the adjoining building, such openings shall comply with the requirements of the building code as to size and protection and so long as the occupancy is not deemed extra hazardous by the fire commissioner."

* Correction—The numbers "50,000" deleted in line 30 of resolution and the numbers "25,000" substituted therefor, and the numbers and word "25,000-gallon" inserted in line 42 of resolution.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on January 9, 1940, as they appeared in Bulletin No. 3, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(1488-39-A)

WHEREAS, George P. Ames, for Lawrence Village Homes, Incorporated, owner, filed December 8, 1939, an appeal from decisions of the borough superintendent of buildings, under section 35, General City Law (re Bed of Mapped Street), affecting premises 213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6118, part of Lot No. 1, Block No. 6116, part of Lot No. 20), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on New Building Applications 9659-9660 and 9661-39, dated November 28, 1939, read:

"1. The erection of a building within the bed of a mapped street is contrary to Sec. 35, Art. 3 of General City Law.

Not further considered."

and

WHEREAS, the premises consist of three separate lots, 55 ft., 48.5 ft. and 54 ft., respectively, by 103 ft. in area, upon which it is proposed to erect three two-story one-family dwellings, with attached garages of Class 4 construction; all of these dwellings will be erected in the bed of 214th street, and the lots upon which the other two dwellings will be erected encroach upon the bed of 214th street, as shown on plans filed January 2, 1940; and

WHEREAS, a report has been received from the Engineer-in-charge of the Topographical Bureau of the Borough of Queens; and

WHEREAS, the applicant contends that although a mapped street exists, it will in all probability not be opened for many years; that there are ample streets at present to serve the area; that in view of the land value and size of the plot that must be furnished with each dwelling sold, it would be economically unfeasible to erect same if a change of the use of the property in the bed of a mapped street is not given to the applicant; that the proposed improvement would not increase the cost of opening the street, as the building which it is proposed to erect in the bed of the mapped street would be of low cost.

MINUTES

Resolved, that the decision of the borough superintendent, on N.B. Applic. Nos. 9659, 9660 and 9661, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, under the powers given the Board under section 35 of the General City Law, to permit the construction of a single family dwelling within the bed of 214th street on the south side of 33rd road, on condition that the depth of the lot from 33rd road shall not exceed 105 ft. and that the house to be located within the bed of 214th street and the proposed houses on adjoining lots, which lots also are in part within the bed of 214th street, shall comply with the requirements of the "I" residential area as to coverage and as to required side yards at either side lot line, and shall be limited to single family occupancy each with attached or detached garages appurtenant thereto.

* *Correction—The words "with attached or detached garages appurtenant thereto" added to last line of resolution.*

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on March 12, 1940, as they appeared in Bulletin No. 12, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(29-40-A)

WHEREAS, Museum Estates, Incorporated, owner filed January 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 154 Nassau street and 1-9 Frankfort street, southeast corner (Block No. 102, Lot No. 2), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated December 14, 1939, reads:

"Your letter of December 13, 1939, requesting permission to erect signs on marquee of theatre located at 170 Nassau Street has been received.

You are hereby advised that the erection of an illuminated sign at the above location is prohibited by Article 2, Section B26-7.0, Subdivision b, of the Administrative Code.

Your application therefore is hereby denied."

and

WHEREAS, the building on which the marquee is constructed and on which it is desired to erect proposed sign, is three stories in height, located in a business use district, erected about 1911, and occupied as follows, according to Certificate of Occupancy No. 20421, issued June 12, 1935: sub-cellar, storage; cellar, storage and restaurant, 50 persons; first story, stores, 100 persons, and theatre lobby, 3 persons; second and third stories, offices, 40 persons each; and

WHEREAS, the theatre lobby in this building is for entrance and exit from a motion picture theatre located in the first story of the adjoining nineteen-story building, also included in Certificate of Occupancy No. 20421, permitting a theatre occupancy of 590 persons; and

WHEREAS, it is proposed to install one new sign on each side at the top of the existing marquee, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the decision of the borough superintendent is based on subdivision a of section B-26-7.0 of the Administrative Code; that the illuminated signs as permitted by subdivision g of section B-26-7.0 are not within the limits of subdivision b of said section; that the only objection to an illuminated sign on Nassau street is that such sign would project on Nassau street and obstruct vision; that this objection does not exist due to the fact that the building faces on a large public space; that the marquee in question is legally existing and the proposed sign would not constitute a new projection.

Resolved, that the decision of the borough superintendent, dated December 14, 1939, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, so as to permit the erection of the proposed sign panels as shown on plans filed with this appeal on either end of the existing marquee, on condition that such panels shall be not larger in area nor contain more wording than shown on sketch submitted, and to permit the application for change of letters in the existing fascia of the marquee, provided such letters advertise only the motion pictures on exhibition in the theatre, and that an additional sign panel bearing the word "TRIBUNE", if illuminated, shall be limited as proposed to blue neon illumination.

* *Correction—The third preamble deleted and a new third and fourth preamble, in italics, substituted therefor.*

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES, AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drape, curtain or scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 20

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
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HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DOCKET.

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490-40-SM.....	Peelle	Flush Counterbalanced Door, manufactured by The Peelle Company, Material.
491-40-SM.....	Fyrgard B	NYC Three Quarter to One and One-half Hour Flush Kalamein Swing Door, manufactured by The Richmond Fireproof Door Company, Material.
492-40-SM.....	Fyrgard C	NYC Three Hour Metal Clad Three-Ply Door, manufactured by The Richmond Fireproof Door Company, Material.
493-40-A.....	H.B.B.....	101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn, Alt. 1960-40!
494-40-BZ....	H.B.Bx...	2084 Bronx street and 1038 East 180th street, southeast corner (Block No. 3141, Lot No. 30), Borough of The Bronx, N.B. 362-40.
495-40-A-WF.H.B.Q....		112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens, Misc. Applic. 3355-40.
496-40-A.....	F.D.....	9 Doyers street, west side, 1,615.75 ft. north of Chatham square (Block No. 162, Lot No. 30), Borough of Manhattan, 7682-L.F. and Decision.
497-40-A.....	F.D.....	349-355 Suydam street, north side, 225 ft. east of Irving avenue (Block No. 3210, Lot Nos. 51 to 54, inclusive), Borough of Brooklyn, Decision—re 77109-L.C.
498-40-A.....	H.B.B.....	69 Moore street, north side, 100 ft. west of Graham avenue (Block No. 3096, Lot No. 27), Borough of Brooklyn, N.B. 503-40.
499-40-A.....	F.D.....	559 Water street, south side, 72 ft. west of Clinton street

(Block No. 246, Lot No. 17),
Borough of Manhattan,
21672-L.C.

500-40-BZ....H.B.Q.....147-19 90th avenue, north side, 116 ft. east of Sutphin boulevard (Block No. 9680, Lot No. 1), Jamaica, Borough of Queens,
Misc. Applic. 1242-40.

501-40-SM.....Superior Skylight Company, Incorporated, Invisible Gravity Ventilator, manufactured by Superior Skylight Company, Incorporated, Material.

502-40-A.....F.D.....130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond,
7080-L.F. and Decision.

503-40-SM.....A.B.C. One and One-half Hour Door, manufactured by A.B.C. Kalamein Door Company, Material.

504-40-A.....H.B.B.....1188-1196 Ocean parkway, northwest corner of Avenue L (Block No. 5495, part of Lot No. 1000), Borough of Brooklyn, Alt. 2007-40.

505-40-A.....H.B.M....910-916 Seventh avenue and 200 West 58th street, southwest corner (Block No. 1029, Lot No. 36), Borough of Manhattan,
Decision—re B.N. 567-40.

506-40-BZ....H.B.B.....South side of Circumferential (Belt) parkway, 146 ft. east of Bay parkway (Block No. 6491, Lot Nos. 13 and 55), Borough of Brooklyn,
Alt. 2030-40.

507-40-BZ....H.B.M....321-323 West 95th street, north side, 175 ft. 5¾ in. east of Riverside drive, 332-342 West 96th street and 235-239 Riverside drive (Block No. 1253, Lot Nos. 58, 59 and 92 to 96, inclusive), Borough of Manhattan,
Decision—re Certificate of Occupancy.

508-40-A.....H.B.M....6-20 West 137th street, south side,

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63 ft. west of Fifth avenue
(Block No. 1734, part of Lot
No. 28), Borough of Man-
hattan, N.B. 163-39.

509-40-A.....F.D.....162-04 Jamaica avenue, south side,
24 ft. east of Union Hall
street (Block No. 10102, Lot
No. 2), Jamaica, Borough of
Queens,
4220-L.F. and Decision.

510-40-SM.....Reversible Safe-T-Sash (Double
Hung Window), manufac-
tured by Reversible Double
Hung Window Corporation,
Material.

511-40-A.....H.B.M....143-147 Columbus avenue and 71
West 66th street, northeast
corner (Block No. 1119, Lot
No. 1), Borough of Manhat-
tan,
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Occupancy, Applic. 343-38.

512-40-BZ....H.B.Bx...2623 Roberts avenue, north side,
100 ft. west of Blondell ave-
nue, and 1409 Blondell ave-
nue (Block No. 4074, Lot
Nos. 22 and 29), Borough of
The Bronx,
Decision—re Slip
Applic. 181-34.

513-40-BZ....H.B.Bx...2958-2978 Webster avenue and
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southeast corner (Block No.
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The Bronx,
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514-40-BZ....H.B.B.....670 Bushwick avenue and 921-
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of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On May 10, 1940, Reginald S. Hardy, attorney for The Scheel
Corporation, served on Board petition and order of certiorari, in
re decision of Board of March 12, 1940, denying garage in residence
district, under section 21, Cal. No. 1465-39-BZ, at premises 350-352
West 45th street, Borough of Manhattan.

COURT DECISION.

In re Cities Service Oil Co. (Murdock)—On May 16, 1939, Board
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trict, Cal. No. 308-37-BZ, under section 21, at premises
538 Trinity avenue and 696 East 149th street, Borough of
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(N.Y.L.J., May 8, 1940).

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MAY 14, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, May 14,*
1940, at 10 o'clock, in Room 1013, Municipal Building, Man-
hattan, on the following matters:

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc.,
applicant and lessee, on behalf of Anna
C. Bingler, owner, reopened for re-
hearing under new facts December 5,
1939, under section 21 of the building
zone resolution, to permit in a business
use district, the maintenance and re-

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construction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 963-39-BZ—Application, July 17, 1939, under sections 7h and 21 of the building zone resolution, of West 36th Street Corporation, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1470-39-BZ—Application, December 4, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Joseph Guffanti, owner, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

CAL. NO. 1545-39-BZ—Application, December 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mamie Tusa, owner, to permit in a business use district, the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

CAL. NO. 67-33-BZ—Application of Stein and Wiener, applicants, on behalf of Harry Weissberg, owner, reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

CAL. NO. 1521-39-BZ—Application, December 19, 1939, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of Josephine Newman, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on

behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 10 and part of Lot Nos. 1 and 12), and 12), Borough of Manhattan.

CAL. NO. 88-40-BZ—Application, January 25, 1940, under sections 7a and 7g of the building zone resolution, of Joseph J. Campbell, applicant and lessee, on behalf of May E. Campbell, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and

CAL. NO. 144-40-BZ—Application, February 3, 1940, under section 21 of the building zone resolution, of Benjamin B. Wesley, applicant, on behalf of Hadley Home Builders, Incorporated, owner, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 26), Borough of Brooklyn.
Ozone Park, Borough of Queens.

CAL. NO. 145-40-BZ—Application, February 5, 1940, under sections 7a and 21 of the building zone resolution, of Frank Bambara, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each

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for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

CAL. NO. 56-40-BZ—Application, January 16, 1940, under section 21 of the building zone resolution, of William C. Stohldrier and Robert Sheffield Farms Company, Inc., owner, G. Zetsche, applicants, on behalf of to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, northwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

Appeals from Administrative Decisions.

57-40-A—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

420-40-A—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

MAY 14, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

85-40-A—11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan.

433-40-A—Re transportation of gasoline in tank trucks (construction of tanks not built of steel in accordance with Fire Department specifications for tanks) in New York City.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

308-40-A—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

374-40-A—1613-1633 Dean street, north side, 127 ft. 1 3/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

380-40-A—390 Pearl street, east side, 20 ft. south of Oak street (Block No. 112, Lot No. 18), Borough of Manhattan.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

206-40-A—115-117 East 14th street, north side, 25 ft. west of Irving place (Block No. 870, Lot No. 18), Borough of Manhattan.

432-40-A—307 Sumpter street, north side, 330 ft. east of Hopkinson avenue (Block No. 1521, Lot No. 64), Borough of Brooklyn.

405-40-A—Pier No. 38, west side of West street, between West Houston street and Spring street (Block No. 656, Lot No. 3), North River, Borough of Manhattan.

237-40-A—396 West Broadway, west side, 115.11 ft. south of Spring street (Block No. 488, Lot No. 24), Borough of Manhattan.

248-40-A—35-27 30th avenue, northwest corner of 36th street (Block No. 629, Lot No. 41), Long Island City, Borough of Queens.

285-40-A—602 Water street, north side, 47.8 ft. east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan.

390-40-A—120 West 9th street, blocks bounded by West 9th street, Mill street, Clinton street, Henry street and Lorraine street (Block Nos. 538, 540, 549, 550, 551, 559, 560, 561, 569 and 570), Borough of Brooklyn.

303-40-A—422-426 Knickerbocker avenue, west side, 50 ft. north of Harman street, and 253 Harman street (Block No. 3278, Lot Nos. 30, 31 and 35), Borough of Brooklyn.

240-40-A—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

408-40-A—516 East 16th street, south side, 245 ft. 6 in. east of Avenue A (Block No. 973, Lot No. 48), Borough of Manhattan.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

447-40-A—115 Livingston street and 12 Court square, northeast corner (Block No. 153, Lot No. 1), Borough of Brooklyn.

158-40-A—58-27, 58-31, 58-35 and 58-39 185th street, east side, 240 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

159-40-A—58-20, 58-24 and 58-28 185th street, west side, 160 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

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Variation of the Labor Law.

434-40-S—5502-5520 Second avenue, west side, from 55th street to 56th street (Block No. 828, Lot No. 1), Borough of Brooklyn.

MAY 17, 1940, 10 A. M.

Rules.

1-38-SR—Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

MAY 21, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 21, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Abraham J. Stern, owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 582-38-BZ—Application of Justine Schwab, applicant and owner, reopened April 23, 1940, for consideration as to extension of time to complete work and an amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use

district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 1266-25-BZ—Application of Jack Z. Cohen, applicant, on behalf of Max M. Leader, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and extension of an accessory building on an existing gasoline service station (gasoline service station previously granted by the Board); premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

CAL. NO. 1161-39-BZ—Application, September 21, 1939, under sections 7a and 21 of the building zone resolution, of Robert T. Schaefer, applicant, on behalf of Michael McCormick, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop—to be erected, in part, on an existing gasoline service station; premises 4302-4308 Faragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1100-39-BZ—Application, September 5, 1939, under section 21 of the building zone resolution, of William Wolff, applicant, on behalf of Bertha Geis, owner (Samuel Levine, lessee), to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

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CAL. NO. 387-39-BZ—Application of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, reopened July 18, 1939, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board); premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 1308-39-BZ—Application, October 24, 1939, under section 7h of the building zone resolution, of Philip Hirshkind, applicant and lessee, on behalf of Manufacturers Trust Company (as trustee), owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 21, 1940, 2 P. M.

Appeals from Administrative Decisions.

1339-39-A—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

378-40-A—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

233-40-A—613-619 West 40th street, north side, 225 ft. west of Eleventh avenue (Block No. 1088, Lot No. 20), Borough of Manhattan.

262-40-A—27-16 23rd avenue, west side, 40 ft. north of 28th street (Block No. 853, Lot No. 43), Astoria, Borough of Queens.

373-40-A—150-156 Lafayette street, west side, 119 ft. north of Howard street (Block No. 233, Lot No. 19), Borough of Manhattan.

138-40-A—43-22 Queens street, west side, 200 ft. south of Jackson avenue, and 43-21 Dutchkills street (Block No. 266, Lot No. 3), Long Island City, Borough of Queens.

174-40-A—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Block No. 611, part of Lot No. 1), Borough of Brooklyn.

160-40-A—37-15 to 37-19 82nd street, east side, 136 ft. 7 in. south of Polk avenue (Block No. 1470, Lot No. 59), Jackson Heights, Borough of Queens.

451-40-A—23 Barclay street, north side, 212 ft. 6½ in. west of Broadway (Block No. 123, Lot No. 4), Borough of Manhattan.

381-40-A—142-158 East 59th street, south side, 100 ft. west of Third avenue (Block No. 1313, Lot No. 43), Borough of Manhattan.

147-40-A—1-5 Bond street, southwest corner of Shinbone Alley (Block No. 529, Lot No. 10), Borough of Manhattan.

182-40-A—573-577 Sackett street, east side, 100 ft. north of Third avenue (Block No. 426, Lot No. 36), Borough of Brooklyn.

508-40-A—6-20 West 127th street, south side, 63 ft. west of Fifth avenue (Block No. 1734, part of Lot No. 28), Borough of Manhattan.

522-40-A—101-103 Broad street, east side, 42 ft. 2 in. south of Pearl street (Block No. 7, Lot No. 33), Borough of Manhattan.

157-40-A—324-326 Gates avenue, south side, 125 ft. east of Bedford avenue (Block No. 1812, Lot No. 11), Borough of Brooklyn.

495-40-A-WF—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.

176-40-A—14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens.

539-40-A—78-57 223rd street, east side, 54 ft. north of Union Turnpike (Block No. 780, Lot No. 1), Flushing, Borough of Queens.

540-40-A—78-58 223rd street, west side, 50 ft. north of Union Turnpike (Block No. 7779, Lot No. 1), Flushing, Borough of Queens.

Variation of the Labor Law.

111-40-S—300-306 East 145th street, southwest corner of College avenue (Block No. 2325, Lot No. 14), Borough of The Bronx.

MAY 28, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 28, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th

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avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

CAL. NO. 164-40-BZ—Application, February 10, 1940, under section 7h of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Central Savings Bank in the City of New York, owner (George Somnig, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

CAL. NO. 256-40-BZ—Application, March 7, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

CAL. NO. 265-28-BZ—Application of Otilia Realty Corporation, applicant and owner, reopened February 6, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 152-40-BZ—Application, February 8, 1940, under section 21 of the building zone resolution, of Arnold J. Marshall, applicant and lessee, on behalf of John Bodine Estates, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of

CAL. NO. 218-40-BZ—Application, February 29, 1940, under sections 7c and 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit the extension, from a business use district into a residence use district, of an existing central telephone exchange; premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 28, 1940, 2 P. M.

Appeal from Administrative Decision.

454-40-A—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

JUNE 4, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 4, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 344-40-BZ—Application, April 4, 1940, under section 21 of the building zone resolution, of Maurice Courland, applicant, on behalf of Jewish Center, Incorporated, owner, to permit in a residence use district and, also, "B" area district, the erection of an extension to an existing building; the proposed extension does not comply with "B" area yard requirements; premises 131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan.

CAL. NO. 347-40-BZ—Application, April 5, 1940, under sections 7g and 21 of the building zone resolution, of Thomas W. Lamb, Incorporated, applicant, on behalf of

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Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 82-40-BZ—Application, January 22, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of 501 Avenue R Corporation, owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58 East 18th street, west side, 161 ft. 9½ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn.

CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of C. J. Johnson, applicant, on behalf of Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 312-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, appli-

cant, on behalf of Elizabeth Linden Kiley, owner (Dora Glicker, lessee), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68 to 71, inclusive, and Lot No. 30), Borough of The Bronx.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 11, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 11, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, applicant, on behalf of Garbo Garage Corporation, owner, reopened April 16, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

CAL. NO. 179-40-BZ—Application, February 15, 1940, under sections 7a, 7b and 7c of the building zone resolution, of Slee and Bryson, applicants, on behalf of William R. Crowley, owner, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business use throughout; premises 92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn.

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CAL. NO. 438-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Fannie Wolf, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

CAL. NO. 300-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Herman M. Cohn, applicant, on behalf of S. & B. Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station and, also, the parking of more than five (5) motor vehicles; premises 1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of Warden H. Fenton, applicant, Director, Bureau of Architecture, Department of Public Works, on behalf of City of New York, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a building (Fire House) not complying with "E" area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

CAL. NO. 252-40-BZ—Application, March 6, 1940, under section 21 of the building zone resolution, of William O. Staber, applicant, on behalf of Home Owners' Loan Corporation, owner, to permit in a residence use district and, also, "E" area district, the maintenance of a garage, accessory to the dwelling on the same lot, said garage not conforming with "E" area requirements as to the ten (10) foot setback from the street line; premises 25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens.

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

JUNE 11, 1940, 2 P. M.

Appeals from Administrative Decisions.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MAY 7, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, April 9, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon,

April 9, 1940, were approved as printed in Bulletin No. 16, Vol. 25.

BUILDING ZONE CASES.

1012-39-BZ.

APPLICANT—Lama and Proskauer, for Abraham J. Stern, owner (Pilgrim Gas Station, lessee).

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SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension in area and the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—4902-4910 Kings highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Kate Gold.

For Opposition: None.

ACTION OF BOARD—Laid over to May 21, 1940, at 10 A.M., on request of representative of attorney for owner.

28-40-BZ.

APPLICANT—Conroy and Hardy, for 42 South 11th Avenue Realty Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop.

PREMISES AFFECTED—14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15 and 18), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy, J. O. Fei and Samuel Stewart.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to May 21, 1940, at 10 A.M., for further consideration as to plans.

132-40-BZ.

APPLICANT—Lama and Proskauer, for Nat Krefetz, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Fred Berger and William Keller.

For Opposition: J. P. McNaughton, G. McNaughton, Venie E. Fux, Anthony F. Vietri, Walter Adikes and Irving Berger.

ACTION OF BOARD—Laid over to May 28, 1940, at 10 A.M., for further consideration by the Board.

145-40-BZ.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses.

PREMISES AFFECTED—163-02 Baisley boulevard, southeast corner of New York avenue (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Opposition: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., for further consideration by the Board.

561-39-BZ.

APPLICANT—J. Andre Fouilhoux, for McGraw Hill Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—340-344 West 42nd street, south side, 200 ft. east of Ninth avenue, and 339-343 West 41st street (Block No. 1032, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

113-38-BZ.

APPLICANT—Arthur Balley (lessee), for Keppler Company, Incorporated, owner.

SUBJECT—Application reopened and restored to Calendar March 12, 1940 (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—4300 Broadway and 663 West 183rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(113-38-BZ)

WHEREAS, Arthur Balley (lessee), for Keppler Company, Incorporated, owner, filed February 23, 1938, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4300 Broadway and 663 West 183rd street, northeast corner (Block No. 2164, Lot Nos. 38, 39 and 40), Borough of Manhattan; and

WHEREAS, the applicant failed to file the required proof of service although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

85-39-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in the City of New York, owner.

SUBJECT—Application reopened March 19, 1940 (re decision of the acting borough superintendent of

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buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied.)

PREMISES AFFECTED—688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg, Theodore Lyons and Stanley M. Rabadan.

For Opposition: Herman Grant, Benjamin Golloy, George Marx, Maude Haas, T. B. Terkildsen and Charles Tilgner, Department of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(85-39-BZ)

WHEREAS, this application to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 688-694 Second avenue, east side, 28 ft. 8¼ in. north of East 37th street, and 303-305 East 37th street (Block No. 943, Lot Nos. 2, 3, 4, 5, 6 and 62), Borough of Manhattan, was denied by the Board May 2, 1939; and

WHEREAS, Louis E. Ordwein, for The Bank for Savings in the City of New York, owner, requested a reopening of this application in the basis of new facts, which application was reopened by vote of the Board March 19, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 7, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Second avenue is in a business and residence use district; East 37th street and East 38th street are in unrestricted and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated January 31, 1940, reads:

"Relative to your application dated January 25th, 1940, for a certificate of occupancy for parking and storage of more than five (5) motor vehicles, we wish to advise you that lots 2, 3, 4, 5, 6 and 62 to a depth of 100 ft. are located in a business district where this occupancy is prohibited by section 4 of the Zone Resolution. Your application is therefore denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 98 ft. on Second avenue, 57 ft. on East 37th street, and a distance of 139 ft. 7 in. along the north lot line; the easterly portion of the plot extends for a (maximum) distance of 39 ft. into the unrestricted use district while the remainder is located in a business use district; it is proposed to occupy the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution and that this was not a proper case in which to exercise its discretion to grant under section 7h thereof.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1145-39-BZ.

APPLICANT—James B. Gilhooley, for Henry D. Bultman, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: James B. Gilhooley.

For Opposition: Charles F. Meier, Charlotte Kern, Mary Meier, Alice Keenan, Marjorie E. Fox, Frances Dietz and Carl J. Helmick.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(1145-39-BZ)

WHEREAS, James B. Gilhooley, for Henry D. Bultman, owner, filed September 18, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop and, also the parking of more than five (5) motor vehicles; premises 110-01 to 110-25 Rockaway boulevard, northwest corner of 111th street (Block No. 2246, Lot No. 65), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 7, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rockaway boulevard is in a business use district; 110th street and 111th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Application No. 1526-39, dated September 11, 1939, reads:

"The use or occupancy for an automobile repair shop and parking lot for more than 5 cars within a business district is contrary to Art. II, Sec. 4 of the N.Y. Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 277 ft. on Rockaway boulevard and 87 ft. on 111th street; it is proposed to erect upon the east portion of the plot a one-story structure, 90 ft. by 26 ft. 4 in. in area, to be used as a motor vehicle repair shop, and to use the remainder of the plot for parking more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution and that this was not a proper case in which to exercise its discretion to grant under section 7h thereof.

Resolved, that the decision of the borough superintendent, re N.B. Applic. No. 1526-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

370-40-BZ.

APPLICANT—Jack Z. Cohen, for Frank P. Mandel and James M. Brooks, owners.

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SUBJECT—Application (re decisions of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and, also "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution.

PREMISES AFFECTED—1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue S (Block No. 6827, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer, Irving Schwartz and Frank P. Mandel.

Unopposed: William Hambrecht, Home Owners' Loan Corporation.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(370-40-BZ)

WHEREAS, Jack Z. Cohen, for Frank P. Mandel and James M. Brooks, owners, filed April 10, 1940, an application under section 21 of the building zone resolution, to permit in a residence use and, also, "E" area district, the maintenance of two (2) dwellings and two (2) one-car garages not conforming with "E" area requirements of the building zone resolution; premises 1902-1904 East 22nd street, west side, 215 ft. and 235 ft. north of Avenue S (Block No. 6827, Lot No. 33), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 7, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 22nd street (Elmore place) is in a residence use and "E" area district; East 21st street (Kenmore place) is in a residence use and "E" area district; Avenue S is in a residence use and, also, "E" and "C" area district; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Application No. 10366-35, dated April 15, 1940, reads:

"Front walls projecting one inch within the required set back in an 'E' area district are contrary to Art. IV, Sec. 15(d) of the Building Zone Resolution."

and

WHEREAS, the decision of the borough superintendent, re N.B. 10461-35, dated April 5, 1940, reads:

"Buildings occupying more than 50% of the area of an interior lot in a residential 'E' district are contrary to Art. IV, Sec. 15(c) of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 100 ft.; upon the plot there are located two (2) two-story frame two-family dwellings and two (2) one-car private garages; the dwellings are located 9 ft. 11 in. from the street lines instead of the required 10 ft., and the buildings on the plot occupy an area 11 sq. ft. in excess of the area permitted by the building zone resolution; it is proposed to maintain this condition; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does

hereby *make a variation* in the application of the area district regulations of the building zone resolution, and that the application be and it hereby it *granted under section 21 thereof, on condition* that in all respects, other than the items appealed from, the zoning resolution and all other laws, rules and regulations applicable thereto shall be complied with.

APPEAL FROM ADMINISTRATIVE DECISION. 420-40-A.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Opposition: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 14, 1940, at 10 A.M., for further consideration by the Board.

Adjourned, 1:25 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MAY 7, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

1048-22-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Kingleff Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to the Calendar (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration of a gasoline service station in the 10 ft. setback of the Lefferts avenue front of a garage previously granted by the Board (previously dismissed for lack of prosecution).

PREMISES AFFECTED—472-494 Kingston avenue, 585-603 East New York avenue and 546-554 Lefferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

517-39-BZ.

APPLICANT—Thomas I. Sheridan, owner.

SUBJECT—Application for consideration—reopening and rehearing under section 21 of the building zone resolution—re that portion of premises located in a residence use district—to permit the parking and storage of more than five (5) motor vehicles—re Application (decision of the borough superintendent of buildings), previously granted under section 7h

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of the building zone resolution, permitting in a business use district the parking and storage of more than five (5) motor vehicles (that portion of premises—re gasoline service station, previously withdrawn).

PREMISES AFFECTED—33-02 to 33-16 Astoria boulevard, southwest corner of 34th street, and 25-01 33rd avenue (Block No. 631, Lot Nos. 19 to 26, inclusive, and Lot No. 30), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Thomas I. Sheridan.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

570-37-BZ.

APPLICANT—Sol Levine, for New York Post Graduate Medical School and Hospital, owner.

SUBJECT—Application reopened and restored to Calendar June 28, 1938 (re decision of the commissioner of buildings), under sections, 21, 7h and 7c of the building zone resolution, to permit the use of a plot of ground which is located within 200 ft. of a hospital as a parking space for more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—328-334 East 21st street, south side, 320 ft. west of First avenue (Block No. 926, Lot Nos. 50-53), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(570-37-BZ)

WHEREAS, this application to permit the use of a plot of ground, located within 200 ft. of a hospital, as a parking space for more than five (5) motor vehicles, under sections 21, 7h and 7c of the building zone resolution, was withdrawn March 22, 1938; and

WHEREAS, Sol Levine, for the New York Post Graduate Medical School and Hospital, owner, requested reopening and restoration to the Calendar of this application; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board June 28, 1938; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

332-32-BZ.

APPLICANT—Kabor Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3276 Jerome avenue, southeast corner of Grand Concourse (Block No. 3323, Lot Nos. 55, 64 and 82), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegal.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPES AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(332-32-BZ)

WHEREAS, this application, affecting premises 3276 Jerome avenue, southeast corner of Grand Concourse (Block No. 3323, Lot Nos. 55, 64 and 82), Borough of The Bronx, was granted by the Board November 21, 1933, on certain conditions, resolution amended January 3, 1934, and April 20, 1937, time extended April 12, 1938, and May 4, 1939, and applicant requested a further extension of time to complete work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 21, 1933, as amended January 3, 1934, April 20, 1937, April 12, 1938, and May 4, 1939, only so far as it has reference to completion of work, so that as amended this portion of the resolution shall read:

"that all work shall be completed within one (1) year from the date of this amended resolution."

441-32-BZ.

APPLICANT—The Texas Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—701-715 Washington avenue, northeast corner of Grand avenue (Block No. 1154, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph F. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(441-32-BZ)

WHEREAS, J. H. Mentz, for The Texas Company, owner, filed August 9, 1932, an application under the building zone resolution, to permit in a business use district the extension of an existing gasoline service station; premises 701-715 Washington avenue, northeast corner of Grand avenue (Block No. 1154, Lot No. 12), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board December 2, 1932, on certain conditions, resolution amended and plans approved May 2, 1939, and owner requests a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 2, 1932, as amended May 2, 1939, so that as amended the resolution shall read:

"Granted on condition that the wall now separating the portion of the plot at present used as a gasoline station from the proposed addition shall be removed and the entire area not covered by accessory buildings shall be cement paved; that all sidewalks shall be repaired in good condition, and where not now concrete, shall be made concrete, and that proper curbing shall be installed; that there shall be not more than two

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(2) curb cuts from Washington avenue, not exceeding 17 ft. in width each, and not more than two (2) from Grand avenue, one toward the south, not over 20 ft. in width, and one toward the north, not more than 35 ft. in width; that there shall be erected at the intersection of Washington and Grand avenues a triangular block of concrete extending for a distance of not less than 8 ft. along each street line and not less than 1 ft. in height; that the accessory buildings shall be not over one story in height, and that any greasing equipment shall be housed within an accessory building, agreeing in general design with the general accessory office building; that any gasoline pumps erected on the premises shall be not nearer than 13 ft. to either street building line; that on the rear line of the premises there shall be a brick wall constructed on the lot line not less than 6 ft. in height; that any accessory building wall may be incorporated in such lot line wall; that any heating room shall be installed in a building of fireproof construction, enterable only from the exterior; that there shall be no signs erected, other than permanent signs attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting along the building line at the intersection of Washington and Grand avenues a post standard for supporting a sign advertising only the brand of gasoline on sale, permitting such sign to be illuminated and to extend beyond the building line for a distance of not more than 4 ft.; that no portable gasoline pumps shall be used on or from the premises and no automobile repairing carried on and no parking or storage of automobiles, other than those being serviced; that there shall be no exterior equipment for greasing or washing; that the plans marked 'Received April 29, 1939,' showing the existing and proposed accessory buildings, are hereby approved as in general conformity of the requirements of this resolution as to arrangement and design.

"Resolved further, that in the event the owner desires to increase the interior width of the lubrication section to 18 ft. 8 in., as indicated on plans filed marked 'Received May 1, 1940,' such increase may be permitted; that the heating system may be changed from coal to oil and a fuel tank of 550 gallons installed; that four additional 550-gallon underground gasoline tanks may be installed in a position as shown; that in lieu of the required block of concrete at the intersection of Washington avenue and Grand avenue, within the building line, the existing block within the building lines having a dimension of 3 ft. by 3 ft. may be accepted; that the design of the accessory building may be substantially as shown on plans marked 'Received May 1, 1940'; that the curb cuts may be rearranged so that there may be two (2) to Washington avenue, one (1) 25 ft. and one (1) 25 ft. 6 in., and two (2) curb cuts to Grand avenue, one (1) 16 ft. 6 in. and one (1) 22 ft., as shown on plans marked 'Received May 1, 1940', on condition that in all other respects the requirements of the resolution adopted by the Board on December 2, 1932, shall be complied with in all other respects, and on the further condition that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

153-36-BZ.

APPLICANT—Abraham N. Horwitz, for West End Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 7c of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—140-154 West End avenue, east side, from West 66th street to West 67th street (Block No. 1158, Lot Nos. 1, 2, 3, 4, 61, 62, 63 and 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(153-36-BZ)

WHEREAS, this application, affecting premises 140-154 West End avenue, east side, from West 66th street to West 67th street (Block No. 1158, Lot Nos. 1, 2, 3, 4, 61, 62, 63 and 64), Borough of Manhattan, was granted by the Board July 14, 1936, on certain conditions, time to submit plans extended June 2, 1937, November 30, 1937, May 17, 1938, and May 2, 1939, and applicant requests a further extension of time to submit plans.

Resolved, that the resolution adopted by the Board on July 14, 1936, be and it hereby is *amended*, only so far as it has reference to submission of plans and obtaining of permits, so that as amended this portion of the resolution shall read:

"that all plans shall be submitted to the Board for approval by the Chairman in behalf of the Board before submission to the borough superintendent of buildings; that such plans shall be submitted within one (1) year from the date of this *amended resolution*, and if found to conform with the requirements of the resolution and after such approval by the Chairman, all permits shall be obtained and all work completed within six (6) months thereafter."

460-37-BZ.

APPLICANT—Parking Deck, Incorporated, for Lexington Avenue and 59th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—731-733 Lexington avenue and 141-155 East 58th street, north side, 95 ft. east of Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton Gerstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(460-37-BZ)

WHEREAS, MacMurray Holding Corporation, for Lexington Avenue and 59th Street Corporation, owner, filed September 27, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 141-155 East 58th street, north side, 95 ft. east of Lexington avenue, and 731-733 Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan; and

WHEREAS, this application was granted by the Board July

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19, 1938, for a temporary period of two (2) years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on July 19, 1938, be and it hereby is *amended*, so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7, subdivision h, for a period of two (2) years from the date of this *amended resolution*, to permit the premises under appeal to be occupied for transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be leveled substantially to the inner edge of the sidewalk of East 58th street and surfaced with steam cinders or clean gravel or other suitable clean material, properly rolled or treated with binder to prevent dusting; that there shall be erected on the interior lot line, where walls of adjacent buildings do not occur, a substantial woven-wire fence not less than 6 ft. in height, and a similar fence to be erected across the frontage of the plot facing on Lexington avenue, with no entrance or exit whatever therein; that a similar fence shall be erected along street line of East 58th street for the entire length, except for an opening as an entrance or exit, 25 ft. in width; that curb cut opposite this entrance shall not be over 25 ft. in width; that the parking of cars shall be arranged at all times with proper aisle space so as to provide a ready entrance and exit; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that during the term of this variance these premises shall be used for no use other than as herein permitted and that no buildings shall be erected, except that there may be erected a frame building as an office and shelter for attendant provided it is not over 150 sq. ft. in area and one story in height; that no signs shall be erected other than a sign at the entrance, attached to the fence, advertising the parking use; that this sign shall not exceed 15 sq. ft. in area; that there shall be no servicing of cars carried on; that lights for general illumination if installed, shall be on post standards with metal reflectors so arranged as to reflect away from adjoining occupancies and towards the center of parking space; that no certificate of occupancy shall be issued until the requirements of this resolution are complied with, and that all permits shall be obtained and all work shall be completed within two months from the date of this *amended resolution*."

619-37-BZ.

APPLICANT—Joseph F. Dusenbury, for Joseph Havender, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3664-3696 Jerome avenue and 3653-3663 Bainbridge avenue, west side, 74 ft. south of Jerome avenue (Block No. 3329, Lot No. 100), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(619-37-BZ)

WHEREAS, John J. Dunnigan, for Joseph Havender, owner, filed December 28, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3664-3696 Jerome avenue and 3653-3663 Bainbridge avenue, west side, 74 ft. south of Jerome avenue (Block No. 3329, Lot No. 100), Borough of The Bronx; and

WHEREAS, this application was granted June 1, 1938, for a temporary period of two (2) years, on certain conditions, and owner requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on June 1, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, to permit that portion of the plot, 142.33 ft., not now built upon, to be occupied for transient parking of more than five (5) motor vehicles, *for a temporary period of two (2) years from the date of this amended resolution*, on condition that no portion of the plot nearer to Jerome avenue than 50 ft. shall be used for parking or as an entrance; that no curb cuts for Bainbridge avenue shall be constructed other than those now existing; that there shall be erected on the street line of Bainbridge avenue a substantial woven wire fence or wall, except for the openings opposite existing curb cuts; that no building shall be erected on this portion of the property during the term of this variance; that no signs shall be erected, other than a neat sign, advertising the parking use at the entrance from Bainbridge avenue."

288-38-BZ.

APPLICANT—Paul Friedman, for Brooklyn Trust Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—602-622 Brightwater court, 601-643 Riegelman boardwalk, 3153-3173 Brighton 6th street and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot Nos. 2271 and 2275), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(288-38-BZ)

WHEREAS, Paul Friedman, for Brooklyn Trust Company, owner, filed April 19, 1938, an application under the build-

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ing zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 602-622 Brightwater court, 601-643 Riegelman boardwalk, 3153-3173 Brighton 6th street and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot Nos. 2271 and 2275), Borough of Brooklyn; and

WHEREAS, the application was granted by the Board July 8, 1938, on certain conditions, resolution amended August 16, 1938, and April 11, 1939, and applicant requests a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 8, 1938, as amended by resolution adopted April 11, 1939, be and it hereby is *further amended*, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7, subdivision h, for a period of two (2) years from August 16, 1940, to permit the vacant portion of the plot under appeal to be occupied for the parking and storage of more than five (5) motor vehicles, restricted to automobiles of the pleasure-car type, *on condition* that such portion shall be surfaced with steam cinders or other suitable material, properly rolled and treated with a binder to prevent dusting and properly graded so as to provide surface drainage; that there shall be erected on the street lines of surrounding streets a substantial wire or wooden fence not less than 3 ft. 6 in. in height above curb in view of level of lot being generally below curb grade; that the openings for exit and entrance shall be restricted to one on Coney Island avenue near the intersection of Brightwater court; that an existing sign shall be removed and no sign erected, except a neat sign at the entrance not over 15 sq. ft. in area and attached to the fence advertising the parking and storage use; that any lights for general illumination shall be on post standards with metal reflectors, so placed as to reflect away from the adjoining residential occupancies; that ample aisles shall be maintained at all times to provide ready exit and entrance; that concrete or wood bumpers shall be located inside the fence lines and within 4 ft. thereof, except along Coney Island avenue and Brightwater court, where the grade of the street is at least 4 ft. above the portion of the parking space; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no automobile shall be parked within 10 ft. of the northerly side of Riegelman boardwalk or buildings facing thereon; that all permits shall be obtained and all work involved completed within two (2) months from the date of this amended resolution; that no certificate of occupancy shall be issued until work has been completed in compliance with the conditions of this resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS. 1339-39-A.

APPLICANT—Ansonia Fire Prevention Company, for New Brighton Milling and Warehouse Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: George E. Green.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M., on request of appellant.

308-40-A.

APPLICANT—John E. Lane, for Shore Homes Developers, Incorporated, owner.

SUBJECT—Application reopened and restored to Calendar April 23, 1940—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

APPEARANCES—

For Applicant: John E. Lane and Hyman H. Zaredt.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., for further consideration by the Board.

374-40-A.

APPLICANT—Lama and Proskauer, for Delia Waste Products Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1613-1633 Dean street, north side, 127 ft. 1 3/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., for further consideration by the Board.

378-40-A.

APPLICANT—David Kaufman, for Lawrence Schmidt, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: David Kaufman.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M., applicant to file plans within ten days.

380-40-A.

APPLICANT—Nunziato Laino, for Estate of F. W. Loew, owner (George G. Hallock, Jr., Sons, Incorporated, agents).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—390 Pearl street, east side, 29 ft. south of Oak street (Block No. 112, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: F. Laino and George D. Saville.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., for inspection by a committee of the Board.

383-40-A.

APPLICANT—William L. Kaplow, for Mather Gaver, owner (David Gaver and Sons, lessees).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—62-66 Glenmore avenue, south

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side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: William L. Kaplow and Mather Gaver.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M., for inspection by a committee of the Board.

367-40-A.

APPLICANT—Supreme Painting Company (lessee), for Jacob Borenstein, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—291 Thatford avenue, east side, 150 ft. north of Livonia avenue (Block No. 3577, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Moe Feldman and R. Monroe.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

450-40-A.

APPLICANT—William Shary, for Dolwood Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—241 West 72nd street, north side, 280 ft. 5½ in. west of Broadway (Block No. 1164, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

169-40-A.

APPLICANT—William Corbett, for Anthony Concurso, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1272 East 222nd street, south side, 130.07 ft. west of Boston Post road (Block No. 4729, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: William Corbett.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(169-40-A)

WHEREAS, William Corbett, for Anthony Concurso, owner, filed February 13, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1272 East 222nd street, south side, 130.07 ft. west of Boston Post road (Block No. 4729, Lot No. 11), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 29-40, dated January 24, 1940, reads:

"1. Business prohibited in frame Building. Sec. 4.1.2, Building Code."

and

WHEREAS, the building is 19 ft. by 28 ft. in area, two stories (20 ft.) in height, of Class 4 construction, located in a business use C area district, erected in 1923, and occupied: first story, boiler-room and custom tailor shop, 6 persons; second story, dwelling, one family; and

WHEREAS, Violation No. 1751-37 was issued directing the discontinuance of the use as a factory until a certificate of occupancy has been issued for said use; and

WHEREAS, the applicant contends that it is proposed to install an additional stair in the rear for access to the second story; that the second story will be used as the owner's residence; that the first story, where the tailor shop will be located, is completely enclosed in 12-inch concrete walls; that the second story is of frame construction; that the building has been occupied as at present since 1937; that the discontinuance of the use would invoke hardship on the owner.

Resolved, that the decision of the borough superintendent, re Alt. Applic. No. 29-40, Objection No. 1, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall not be further extended in height or area; that the number of occupants on the first story at factory work shall not exceed five (5); that the first story ceiling shall be fire-retarded by a metal ceiling; that the heater room on the first story shall be separated from the balance of the space by fire-retarded partitions, or by metal applied to the existing partitions, as approved by the superintendent of buildings; that in all other respects all laws, rules and regulations applicable to the building and its occupancy shall be complied with; that any permits required from the Fire Department shall be in accordance with all requirements therefor.

VARIATION OF THE LABOR LAW.

470-39-S.

APPLICANT—Robert C. Burr, for Gresham Realty Company, Incorporated, for 501 Madison Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision and an order of the fire commissioner.

PREMISES AFFECTED—501-505 Madison avenue and 41-51 East 52nd street, northeast corner (Block No. 1288, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Knight.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(470-39-S)

WHEREAS, Robert C. Burr, for Gresham Realty Company, Incorporated, for 501 Madison Avenue Corporation, owner, filed April 12, 1939, an application for a variation of the labor law, as cited in an order and decisions of the fire commissioner, affecting premises 501-505 Madison avenue and 41-51 East 52nd street, northeast corner (Block No. 1288, Lot No. 21), Borough of Manhattan; and

WHEREAS, Order No. 3264-LF, issued by the fire commissioner November 30, 1938, reads:

"An inspection of the premises 501-5 Madison Ave.—41-51 East 52nd St., Borough of Manhattan shows that a fire drill should be established and maintained therein

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according to the requirements of Section 279 of the Labor Law. The Labor Law specifically charges the Fire Commissioner with the duty of enforcing the provisions of the law, as to fire drills."

and

WHEREAS, the said order is referred to in a decision of the fire commissioner, dated January 30, 1939; and

WHEREAS, a subsequent decision issued by the fire commissioner March 20, 1939, reads:

"In reply to your request in reference to Order No. 3264-LF, issued against the above premises and requiring a Fire Drill, you are advised that inspection shows the premises to be a Tenant Factory with 691 persons above the first story of which 321 are employed at factory work. As every square foot of the building is not protected with an approved automatic sprinkler system, Section 279 of the Labor Law requires a Fire Drill to be conducted at least once in each month, all occupants in the building must participate. Your request to omit compliance with the order must therefore be denied."

and

WHEREAS, the building is thirty stories (440 ft.) in height, 100 ft. 4 in. by 74 ft. in area at first story, of fireproof construction, erected in 1930, located in a business use district, and occupied: cellar, storage and machinery, 5 persons; 1st story, stores, 35 persons; second, third and fourth stories, offices and factory, 10, 42 and 18 persons, respectively; fifth story, school, 85 persons; sixth to eleventh stories, offices and factory, 67, 76, 22, 77, 39 and 40 persons, respectively; 12th story, offices, 13 persons; 13th story, offices and factory, 76 persons; 14th story, offices, 48 persons; 15th story, offices and factory, 30 persons; 16th to 30th stories, offices, 35, 18, 15, 11, 12, 10, 9, 9, 11, 11, 13, 4, 6, 7, 7 persons, respectively; it is proposed to be occupied as follows: cellar, storage and machinery, 5 persons; first story, stores, 40 persons; second to fourth stories, offices and factory, 80 persons each; fifth and sixth stories, offices and factory, 175 persons each; seventh to sixteenth stories, offices and factory, 80 persons each; 17th to 30th stories, offices, 80 persons each; and

WHEREAS, the building is equipped with a sprinkler system from basement to sixteenth story, inclusive, and a standpipe system throughout, an interior fire alarm system and one 3 ft. 8 in. fireproof enclosed stairway and one fire tower of similar width equipped with steel doors; and

WHEREAS, the applicant contends that Certificate of Occupancy 16945, issued in 1930, permits manufacturing from second to sixteenth stories, inclusive, in which area the designed live load is 120 pounds per square foot, and each area is covered with a sprinkler system; the corridors have been so constructed as to provide access to both means of egress without obstruction; all manufacturing areas are enclosed with fireproof partitions and any subdivisions of same are gypsum block or steel partitions; the greater part of the occupancy is offices, including doctors' offices, a large radio broadcasting station, executive offices and a large publishing firm; that imposing a fire drill upon occupants of this character would be an unbearable nuisance and a hardship to the owners of the building and detracting from the rentability of the space; the building is equipped with an interior fire alarm system, two fire alarm boxes to notify the Fire Department and an automatic fire alarm system controlled by a sprinkler valve to notify an outside agency on duty twenty-four hours a day; the building employees are organized and drilled for five stations and trained in the use of existing standpipe equipment; that it is felt that the safety of the occupants of the building is fully assured by existing equipment and precautions and there is no necessity for instituting periodical fire drills; and

WHEREAS, a request for amendment of the resolution was made for increase of occupancy of the floors protected by the sprinkler system; and

WHEREAS, an inspection of the building and examination of the records indicate that the lower sixteen floors are pro-

tected by a voluntarily installed sprinkler system fed from a 20,000-gallon gravity tank on the roof, divided into two sections of 10,000 gallons each, with all water available exclusively for sprinkler purposes; and

WHEREAS, in the opinion of the Board this system may, for purposes of computing permitted occupancy, be deemed a two-source sprinkler system.

Resolved, that the resolution adopted by the Board on May 31, 1939, be and it hereby is amended, only so far as it has reference to occupancy, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law, as cited in Order No. 3264-LF of the fire commissioner, and that the application be and it hereby is granted on condition that the sprinkler system shall be maintained up to and including the sixteenth floor to the satisfaction of the fire commissioner; that no manufacturing shall be carried on above the fifteenth floor; that the interior alarm signal system shall be maintained and that in lieu of the full requirements of the labor law as to fire drill, all employees on all floors up to and including the fifteenth floor shall be instructed to proceed to the nearest station in the event that the fire alarm is sounded, and that certain persons on each floor shall be instructed as to the exiting in the event of fire; that all laws, rules and regulations applicable to the building shall be complied with in all other respects, and other than as modified under Cal. No. 596-29-S; that Certificate of Occupancy No. 16945 shall be amended so as to permit an occupancy from the second story to the sixteenth story, inclusive, of 125 persons on each floor and an additional twenty-five persons on the fifth and sixth floors, so long as such occupancy on the fifth and sixth floors is non-manufacturing and is occupied by the Gaines School of Business Administration, and so long as the sprinkler system installed in the building is maintained to the satisfaction of the fire commissioner and the 20,000-gallon tank divided into two 10,000-gallon compartments shall be maintained exclusively for sprinkler protection."

MATERIALS SUBMITTED FOR APPROVAL.

937-39-SM.

APPLICANT—Hercules Cement Corporation, owner.

SUBJECT—Hercules Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(937-39-SM)

WHEREAS, Hercules Cement Corporation, of Philadelphia, Pennsylvania, owner, filed July 12, 1939, an application with the Board of Standards and Appeals for approval of the material known as Hercules Gray Portland Cement, Hercules Dark Portland Cement, Hercules Moderate Heat of Hardening Cement, Vulcanite Gray Portland Cement, Vulcanite Dark Portland Cement and Vulcanite Moderate Heat of Hardening Cement; and

WHEREAS, these materials were submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads as follows:

REPORT OF COMMITTEE ON TESTS.

March 31, 1940.

Cal. No. 937-39-SM.

Re: Hercules Gray Portland Cement, Hercules Dark

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Portland Cement, Hercules Moderate Heat of Hardening Cement, Vulcanite Gray Portland Cement, Vulcanite Dark Portland Cement and Vulcanite Moderate Heat of Hardening Cement, approval of.

On July 12, 1939, Hercules Cement Corporation, of Philadelphia, Pennsylvania, filed an application for approval of Hercules Gray Portland Cement, Hercules Dark Portland Cement and Hercules Moderate Heat of Hardening Cement, as manufactured by it at Stockertown, Pennsylvania, for use in New York City pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3.c-2 BC).

This application was amended by a request for permission also to market these products under the name of "Vulcanite Gray Portland Cement, Vulcanite Dark Portland Cement and Vulcanite Moderate Heat of Hardening Cement" until such time as the Vulcanite Portland Cement Company resumes operation of its own plant.

The process of manufacture is as follows: The quarried stone is dumped into a Fairmont roll crusher, and discharge from this crusher is by belts to four No. 6 gyratory crushers, and when discharged it is conveyed to covered storage. The stone is taken from this storage and passed through a revolving dryer to Bradley Hercules Mills, to Allis Chalmers Tube Mills through nine 125 ft. Mosser kilns at 2,700 degrees F. to Fuller coolers where the temperature is reduced to 400 degrees F., and then to clinker storage. From this storage, the clinker, with gypsum added, is passed through Hercules Bradley Mills to Allis Chalmers Tube Mills, and the finished cement is then conveyed to cement storage tanks. The cement is drawn from storage by pumps and conveyed to packer bins and packed by Bates packers into cotton and paper bags for shipment.

Less than 1 per cent. pyrites cinders are added to the mix at dryer discharge when dark cement is manufactured.

The control of the manufacturing process is as follows: The drill cores in the quarry are analyzed every 10 feet and the rock, which varies in composition in the quarry, is kept in separate bins according to analysis. The mix required is blended according to chemical analysis. As the rock passes through the last battery of crushers, it is automatically sampled, and from this automatic sampler samples are drawn every hour for analysis. Fineness tests of the discharge from the tube mills are made hourly.

It is estimated that a supply of consistently homogeneous raw materials are available for at least fifty years at the present rate of manufacture.

A flow sheet has been filed showing the process of manufacture.

These cements were tested at the applicant's laboratory, Stockertown, Pennsylvania, in the presence of a representative of the Board, for compliance with A.S.T.M. designation C-9-38, and Federal Specifications SS-C-191-a and SS-C-206, pursuant to the methods of test prescribed in A.S.T.M. designations C-77-39 and C-114-39-T and Federal Specification SS-C-158 with the following results:

HERCULES GRAY PORTLAND CEMENT.

Physical Tests

<i>As Tested</i>	<i>A.S.T.M.</i> <i>C-9-38</i>	<i>Fed. Spec.</i> <i>SS-C-191-a</i>
Surface Area 1,685 sq. cm. gm.	Min. 1500	
Soundness O. K.	Sound	Sound
Initial Set (Gilmore)		
3 hrs. 15 min.	Min. 45 min.	Min. 60 min.
Final Set (Gilmore)		
6 hrs. 5 min.	Max. 10 hrs.	Max. 10 hrs.
Expansion Autoclave 0.325 ..		

% passing 200 mesh 94.6..	.....	
% passing 325 mesh 84.3..	.....	
Normal Consistency 24 ..	.....	
% water 55 for 112 flow ...	.....	
<i>Compressive Strength:</i>		
(Av. 6 Spec. P.S.I.)		
Age 3 days—1,558		900
Age 7 days—2,646		1,800
Age 28 days—4,508		3,000
<i>Tensile Strength:</i>		
(Av. 6 Spec.)		
Age 3 days—277		175
Age 7 days—317	275	275
Age 28 days—407	350	350

Chemical Analysis

SiO ₂ —	19.80%	.....	.....
Al ₂ O ₃ —	7.01	.....	7.50
Fe ₂ O ₃ —	2.89	.....	6.00
CaO—	63.09	.....	.....
MgO—	3.33	5.00	5.00
SO ₃ —	1.53	2.00	2.00
Loss	1.22	4.00	3.00
Insoluble Residue..	0.18	0.85	0.75
<i>Component Parts:</i>			
CASO ₄ —	2.6		
C ₄ AF—	8.7		
C ₃ A—	13.7		
C ₃ S—	50.6		
C ₂ S	18.7		

HERCULES DARK PORTLAND CEMENT.

Physical Tests

<i>As Tested</i>	<i>A.S.T.M.</i> <i>C-9-38</i>	<i>Fed. Spec.</i> <i>SS-C-191-a</i>
Surface Area 1,740 sq. cm. gm.		1,500
Soundness O. K.	Sound	Sound
Initial Set (Gilmore)		
3 hrs. 15 min.	Min. 45 min.	Min. 60 min.
Final Set (Gilmore)		
6 hrs. 10 min.	Max. 10 hrs.	Max. 10 hrs.
Expansion Autoclave 0.085 ..	.....	.....
% passing 200 mesh 94.6..	.....	.....
% passing 325 mesh 86.0..	.....	.....
Normal Consistency 23 ..	.....	.....
% water 55 for 108 flow ...	.....	.....
<i>Compressive Strength:</i>		
(Av. 6 Spec. P.S.I.)		
Age 3 days—1,483		900
Age 7 days—2,150		1,800
Age 28 days—4,033		3,000
<i>Tensile Strength:</i>		
(Av. 6 Spec.)		
Age 3 days—280		175
Age 7 days—310	275	275
Age 28 days—399	350	350

Chemical Analysis

SiO ₂ —	19.72%	.....	.....
Al ₂ O ₃ —	5.82	.....	7.50
Fe ₂ O ₃ —	5.10	.....	6.00
CaO—	62.27	.....	.....
MgO—	3.38	5.00	5.00
SO ₃ —	1.55	2.00	2.00
Loss—	0.73	4.00	3.00
Insoluble Residue—	0.22	0.85	0.75
<i>Component Parts:</i>			
CASO ₄ —	2.6		
C ₄ AF—	15.5		
C ₃ A—	6.8		
C ₃ S—	52.7		
C ₂ S—	16.9		

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HERCULES MODERATE HEAT OF HARDENING PORTLAND CEMENT.

Physical Tests

As Tested	A.S.T.M. C-9-38	Fed. Spec. SS-C-206
Surface Area 1,975 sq. cm. gm.		1,800
Soundness O. K.	Sound	Sound
Initial Set (Gilmore)		
3 hrs. 20 min.	Min. 45 min.	Min. 60 min.
Final Set (Gilmore)		
6 hrs. 15 min.	Min. 10 hrs.	Max. 10 hrs.
Expansion Autoclave 0.059 ..		
% passing 200 mesh 96.6..		
% passing 325 mesh 93.1..		
Normal Consistency 24 ..		
% water 56 for 108 flow ...		

Compressive Strength:

(Av. 6 Spec. P.S.I.)	
Age 3 days—1,479	750
Age 7 days—2,071	1,500
Age 28 days—4,642	2,500

Tensile Strength:

(Av. 6 Spec.)	
Age 3 days—253	125
Age 7 days—297	275
Age 28 days—426	350

Heat of Hydration:

At 7 days—65 cal.	Min. 70
At 28 days—76 cal.	Max. 80

Chemical Analysis

SiO ₂ —	22.04%	21.00
Al ₂ O ₃ —	4.75	6.00
Fe ₂ O ₃ —	4.55	6.00
CaO—	61.45	
MgO—	3.34	5.00
SO ₃ —	1.64	2.00
Loss—	0.87	4.00
Insoluble Residue—0.25	0.85	0.75

Component Parts:

CASO ₄ —	2.8
C ₄ AF—	13.8
C ₃ A—	4.9
C ₃ S—	39.4
C ₂ S—	33.5
C ₃ AO.AL ₂ O ₃	4.88
Ratio Al ₂ O ₃ /Fe ₂ O ₃	1.04
	8.00
	Between 0.7-2.0

On the basis of the foregoing data, it is recommended that Hercules Gray Portland Cement, Hercules Dark Portland Cement and Hercules Moderate Heat of Hardening Portland Cement, as manufactured by Hercules Cement Corporation, of Philadelphia, Pennsylvania, at Stockertown, Pennsylvania, be approved for use in New York City as portland cements pursuant to section C26-312.0 c.1 of the Administrative Code, when made to the specifications contained herein, on condition that monthly mill test reports certified by the manufacturer's chief chemist be filed with the Board and that all bags be stamped, labeled or marked "Approved for Use in New York City by the Board of Standards and Appeals under Cal. No. 937-39-SM", and that when shipped in bulk its bill of lading be similarly marked, and that these cements may be marketed under the names of Vulcanite Gray Portland Cement, Vulcanite Dark Portland Cement and Vulcanite Moderate Heat of Hardening Portland Cement when all of the conditions hereinbefore set forth are complied with and until such time as the Vulcanite Portland Cement Company resumes operation

of its plant for the manufacture of cement for use in New York City and has received approval therefor.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Hercules Gray Portland Cement, Hercules Dark Portland Cement, Hercules Moderate Heat of Hardening Cement, Vulcanite Gray Portland Cement, Vulcanite Dark Portland Cement and Vulcanite Moderate Heat of Hardening Cement, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

258-40-SM.

APPLICANT—The Celotex Corporation, owner.

SUBJECT—Celotex Acoustical Products (Acousti-Celotex Mineral Tile, Acousti-Celotex Cane Tile, Absorbex Type A, C and F, Calicel, Calistone and Muffletone), approval of.

APPEARANCES—

For Applicant: A. P. Green.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(258-40-SM)

WHEREAS, The Celotex Corporation, of Chicago, Illinois, filed March 7, 1940, an application with the Board of Standards and Appeals for approval of the material known as Acousti-Celotex Mineral Tile, Acousti-Celotex Cane Tile, Absorbex Type A, C and F, Calicel, Calistone and Muffletone; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads as follows:

REPORT OF COMMITTEE ON TESTS.

May 4, 1940.

Re: Cal. No. 258-40-SM.

Subject: Acousti-Celotex Mineral Tile, Acousti-Celotex Cane Tile, Absorbex Type A, C and F, Calicel, Calistone and Muffletone.

The Celotex Corporation, of Chicago, Illinois, filed a request with the Board of Standards and Appeals on March 7, 1940, for use of their acoustical materials under the pertinent provisions of the Administrative Code. The descriptions of these materials are as follows:

ACOUSTI-CELOTEX (MINERAL TILE)

This material is made of mineral fibres of rock wool pressed together and held by a suitable binder composed of asbestos and a slight amount of starch and resin waterproofing. It is manufactured on a paper machine with the thickness controlled by mechanical calenders and sized as required. This material is fabricated at Marrero, Louisiana, and is made in thicknesses of 5/8 inch and 1 inch in units 12 inches x 12 inches and 12 inches x 24 inches. It is perforated with

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676 holes per square foot, each hole 5/32 inch in diameter. These perforations do not extend through the thickness of the material.

To determine the incombustibility of this material, samples were selected and tested at Columbia University (Report No. 2342 filed herewith) wherein a panel consisting of nine units 12 inches x 12 inches x 1 3/4 inches were subjected to the standard Columbia* forty-minute test. After six minutes the temperature was 1,330 degrees. There was no flaming, no smoke, no glow, but there was a slight odor. This test was continued for forty minutes during which period no flaming and no glow or smoke occurred excepting at the forty-minute interval where there was glow for fifteen seconds after test was discontinued. The panel was intact after the test with the material slightly more friable where exposed but not fused. This Mineral Tile is also rated as an incombustible material by the U. S. Bureau of Standards.

* Standard Columbia test to determine incombustibility of the material where the temperatures are raised in accordance with the standard time temperature curve so that at the end of forty minutes the temperature is 1,700 degrees F.

Method of Application

This material is cemented to a solid backing with a glue having a capacity of sustaining a load of 1 1/4 pounds per square inch and with additional support of nails driven in each corner of the tile where nailing surfaces are available, or it may also be applied to metal furring to form a suspended ceiling when hung on H bars and splines.

ACOUSTI-CELOTEX (CANE TILE)

Acousti-Celotex is made at Marrero, Louisiana, of cane fibres called bagasse and is treated to resist decay. It is felted in thicknesses of 1/2 inch to 1 1/4 inches and fabricated into units varying from 6 inches x 12 inches to 24 inches x 48 inches, and perforated with holes approximately 1/4 inch in diameter at the rate of 441 holes per square foot. These perforations do not extend through the material. The material is treated during manufacturing with a Ferox treatment to resist fungi and termites and waterproofed to increase the moisture resistance. There is no resin or pitch as there is no binding material used.

This material is applied to a solid backing with a glue having a strength of 1 1/4 pounds per square inch and nailed at corners where nailing surfaces are available. It may also be applied to metal or wood furring by nailing. This material is not classified as an incombustible material.

ABSORBEX TYPE, A, C and F

Absorbex A is manufactured at Chewahlah, Washington, and is a cement wood product made by a process which shreds timber into long fibres which then pass through a binding emulsion made of high temperature cement. The material is then formed by rolls to a thickness of 1 inch and sizes 9 inches x 9 inches to 18 inches x 54 inches at a temperature of 500 degrees F. into slabs, and is of cellular construction which provides insulation qualities necessary for acoustical properties, and is a material which has considerable strength and resistance to fire.

This material is also sold under name of Absorbex Type C and F which is the same material but with heavier fibres of wood and with the same cementing agents, and is manufactured in thicknesses of 1 inch, 2 inches and 3 inches, and 20 inches x 32 inches, 48 inches and 64 inches in area.

Standard Columbia Time Temperature Test for Incombustibility:

To determine the incombustibility of Absorbex Type

A, tests were conducted at Columbia University (Report No. 2422 filed herewith) on Absorbex units attached to 1-inch Thermax backing and another panel assembled with the "clip-on" system of ceiling erection with and without mineral wool filler. The log of the flame test which was conducted for forty minutes on Absorbex at the end of six minutes indicated the panel glowing over an area 3 inches in diameter but with no flame. This test was continued and at the end of forty minutes no flaming was visible during the entire test but glowing persisted at the end of the test for five seconds.

The result of the panel constructed by the "clip-on" method having rock wool filler indicated no flaming at the end of six minutes nor was there any flaming through the entire forty-minute period. However, when the flame was withdrawn at the termination of the test, the surface was incandescent over an area 6 inches in diameter with glowing persisting for five seconds.

The result of the tests on Absorbex Type A attached by the "clip-on" method without the rock wool filler indicates at the end of six minutes there was no flaming or glowing. This test was continued for the full forty minutes during which period there was no flaming and at the termination the surface was incandescent over an area 6 inches in diameter with glowing persisting for five seconds.

This material is applied by cementing to a solid backing with a glue having strength of at least 1 1/4 pounds per square inch and nailed at the corners where nailing surfaces are available. It may also be applied to metal and wood furring both in suspension and on walls by nailing.

CALICEL

Calicel is manufactured at Marietta, Ohio, of expanded slag resulting in a cellular material formed at temperatures in excess of 2,000 degrees F. and when cooled the molten mass is expanded from ten to forty volumes resembling a petrified sponge. The material is thoroughly mixed with a mineral binding agent and then molded with hydraulic presses into thicknesses of 3/4 inch and 1 inch and sizes 6 inches x 12 inches to 12 inches x 24 inches, after which it is cured in a kiln.

Standard Columbia Time Temperature Test for Incombustibility:

To determine the incombustibility of this material, tests were conducted at Columbia University (Laboratory Test No. 53301) for forty minutes, 7/8 inch thicknesses of Calicel mounted on 1/2-inch plaster base. During this entire forty minutes there was no flaming, and when water was applied at the end of the test, no change appeared on the surface.

This material is applied the same manner as provided for in the Acousti-Celotex Mineral Tile.

CALISTONE

Calistone is made from Calicel described above excepting that the binding agent used is portland cement. It is cast into a stone slab of varying sizes and thicknesses as may be required. This material is applied on metal suspension members for ceiling work and on solid walls with a plaster of paris adhesive.

MUFFLETONE

Muffletone is an expanded mineral product made of gypsum and is manufactured at Port Clinton, Ohio. To the gypsum a foaming agent is added which causes the gypsum to expand into a cellularlike structure after which it is cast into a metal mold and cured in a drier at a temperature of 300 degrees F. After curing, it is trimmed to sizes having thicknesses of 3/4 inch and 1 inch and in units 6 inches x 12 inches to 12 inches x 18 inches after which it is beveled. This material being composed of minerals is accordingly rated incombustible.

MINUTES

It is applied in the same manner as that provided for in the Acousti-Celotex Mineral Tile given above.

ADHESIVES

Adhesives used with these materials shall have an adhesive strength of not less than 1/2 pound per square inch when first applied and a strength of not less than 1 1/4 pounds per square inch twenty-four hours after application. Such adhesives shall be waterproof and resistant to alkaline solutions and of such nature that they remain plastic during application.

Acoustical Properties

The acoustical properties of these various materials are tabulated from results of tests performed at the National Bureau of Standards, Washington, D. C., File LC573, dated November 15, 1939. A copy is filed with this application. Reference is also made to tests published by the Acoustical Materials Association in Bulletin VI, dated June, 1939. A copy of this bulletin is also filed with this application.

The following represent the types of mounting (File LC-585):

1. Cemented to wall board. This is considered equivalent to cementing to plaster or masonry.
2. Nailed on 13/16-inch x 2-inch furring 12 inches o.c. unless otherwise indicated.
4. Laid directly on laboratory floor. As a rule the results obtained in this way are the same as when the tile is cemented to gypsum wall board.
5. Nailed on 2 x 4's 12 inches o.c. unless otherwise indicated.
7. Back of sample covered with concrete.
8. Attached to metal suspension system. Four inches air space back of tile, unless otherwise indicated.
9. Acoustic tile nailed to 13/16-inch x 2-inch furring 18 inches o.c. Space between furring filled with Rockwool.
10. Laid on 2 x 8's 12 inches o.c.
11. Laid on 24 gauge sheet iron, nailed to 13/16-inch x 2-inch furring 24 inches o.c.
12. Clipped at corners to 5/8 inch x 1 1/8 inch metal furring 12 inches o.c. Furring was clipped to 1 1/2-inch channels which were 3 feet 6 inches o.c.

The type and classification given in this schedule is in accordance with Federal Specification SS-A-118, dated November 20, 1939.

Material	Thick- ness	Mount- ing	Noise Reduction Coef- ficient	Type	Classi- fication
<i>Acousti-Celotex Cane Tile</i>					
Type C-1	1/2"	1	.45	5	JJ
Type C-1	1/2"	2	.55	5	HH
Type C-2	5/8"	1	.60	5	GG
Type C-2	5/8"	2	.70	5	EE
Type C-3	13/16"	1	.65	5	FF
Type C-3	13/16"	8	.70	5	EE
Type C-4	1 1/4"	1	.70	5	EE
Type C-4	1 1/4"	2	.75	5	DD
Type C-4	1 1/4"	8	.75	5	DD
Type C-5	13/16"	1	.70	5	EE
Type C-5	13/16"	2	.75	5	DD
Type C-6	1 1/4"	1	.80	5	CC
Type C-7	1"	8	.70	5	EE
<i>Acousti-Celotex Mineral Tile</i>					
Type M-1	5/8"	1	.65	5	FF
Type M-2	1"	1	.75	5	DD
Type M-2	1"	8	.70	5	EE
Type M-3	1 1/4"	1	.75	5	DD
<i>Calicel</i>					
Standard	3/4"	1	.60	2	GG
Standard	1"	1	.70	2	EE
Standard	1"	8	.85	2	BB
Tapestry	3/4"	1	.60	3	GG
Tapestry	1"	1	.65	3	FF

<i>Calistone</i>					
Calistone	1"	4	.60	1	GG
Calistone	2"	4	.75	1	DD
Calistone	4"	4	.75	1	DD
<i>Absorbex</i>					
Type A	1"	1	.65	7	FF
Type A	1"	2	.70	7	EE
Type A	1"	9	.80	7	CC
Type A	1"	7	.90	7	AA
Type C	1"	2	.50	7	II
Type F	1"	2	.50	7	II
<i>Muffletone</i>					
Standard	3/4"	1	.60	2	GG
Standard	1"	1	.70	2	EE
Travertine	1"	1	.65	6	FF

RECOMMENDATIONS

On the basis of the foregoing data wherein these materials meet the sound absorption requirements of Federal Specification SS-A-118 for the classes as listed, the Committee recommends the approval of the following materials as incombustible materials under C-26-88.0 (1.80) and as acoustical material under C-26-178.0.b. (2.1.2.5) of the specifications as provided for herein and when applied in a manner as prescribed herein and sold under names as follows: Acousti-Celotex Mineral Tile (M1, 2, 3), Absorbex Type A, C and F, Calicel (Standard and Tapestry), Calistone and Muffletone (Standard and Travertine).

The Committee also recommends the approval of Acousti-Celotex Cane Tile (C1-C7 inc.), when manufactured to meet the sound absorption requirements of SS-A-118, Type V, under C-26-178.0b (2.1.2.5) and the rules on uses of Insulated Fibre Board of the Board of Standards and Appeals when applied as provided for in such rules and as supplemented herein. Approval is also recommended for use in Class 1 and Class 2 construction when backed solidly with fire-resistant material in accordance with the requirements as set forth in C-26-667.0 Paragraph 3 and 8 (10.9.2.3 and 10.9.2.8).

It is further recommended that each package or container of these acoustical materials when used in New York City shall be marked, stamped or labeled reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Calendar No. 258-40-SM".

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Acousti-Celotex Mineral Tile, Acousti-Celotex Cane Tile, Absorbex Type A, C and F, Calicel, Calistone and Muffletone, on condition that the material be manufactured, used, labeled, stamped or tagged in accordance with above report.

Adjourned, 4:25 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING.

FRIDAY MORNING, MAY 10, 1940.

Present: Chairman Murdock and Commissioners Savage and Blum.

MINUTES

APPEALS FROM ADMINISTRATIVE DECISIONS.

1535-39-A.

APPLICANT—Samuel Gardstein, for David Forman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel, Samuel Gardstein, Samuel Berley and Theodore Zimms.

For Opposition: Harold Klorfein and Adam Kopf, Department of Parks.

For Administration: Joseph Ferro and Inspector Hannigan, Department of Housing and Buildings, and Inspector Rattinger, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for consideration by the Board and decision; no further argument.

1536-39-A.

APPLICANT—Samuel Gardstein, for Charles Berk, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome M. Wanshel, Samuel Gardstein, Samuel Berley and Theodore Zimms.

For Opposition: Harold Klorfein and Adam Kopf, Department of Parks.

For Administration: Joseph Ferro and Inspector Hannigan, Department of Housing and Buildings, and Inspector Rattinger, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for consideration by the Board and decision; no further argument.

1537-39-A.

APPLICANT—Samuel Gardstein, for Morton Pickman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—155-04 Killarney street, south-west corner of 155th avenue (Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome M. Wanshel, Samuel Gardstein, Samuel Berley and Theodore Zimms.

For Opposition: Harold Klorfein and Adam Kopf, Department of Parks.

For Administration: Joseph Ferro and Inspector Hannigan, Department of Housing and Buildings, and Inspector Rattinger, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for consideration by the Board and decision; no further argument.

1538-39-A.

APPLICANT—Samuel Gardstein, for Samuel Berley, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—99-03 North Conduit avenue, northeast corner of Huron street (Albert road), (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome M. Wanshel, Samuel Gardstein, Samuel Berley and Theodore Zimms.

For Opposition: Harold Klorfein and Adam Kopf, Department of Parks.

For Administration: Joseph Ferro and Inspector Hannigan, Department of Housing and Buildings, and Inspector Rattinger, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for consideration by the Board and decision; no further argument.

422-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-08 185th street, west side, 40 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(422-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; PREMISES 58-08 185th street, west side, 40 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2173-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a one-story frame dwelling and a one-story garage, the dwelling to be 25 ft. 6 in. by 42 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2173-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith

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and as indicated on plans filed with the borough superintendent, *on condition* that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

423-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-12 185th street, west side, 80 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(423-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-12 185th street, west side, 80 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2174-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a two-story frame dwelling and one-story garage, the dwelling to be 23 ft. by 27 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2174-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, *on condition* that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district,

except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

424-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-16 185th street, west side, 120 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(424-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-16 185th street, west side, 120 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2175-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a one-story frame dwelling and one-story garage, the dwelling to be 24 ft. by 34 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2175-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, *on condition* that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except

MINUTES

that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

425-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-07 185th street, east side, 40 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(425-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-07 185th street, east side, 40 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2168-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a two-story frame dwelling and a one-story garage, the dwelling to be 23 ft. by 27 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2168-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, *on condition* that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than

1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

426-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-11 185th street, east side, 80 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(426-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-11 185th street, east side, 80 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. 2169-1940, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a one-story frame dwelling and a one-story garage, the dwelling to be 25 ft. 6 in. by 42 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2169-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, *on condition* that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects

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the building shall comply with the requirements for buildings erected outside the fire limits.

427-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-15 185th street, east side, 120 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(427-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-15 185th street, east side, 120 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2170-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a two-story frame dwelling and one-story garage, the dwelling to be 23 ft. by 27 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2170-40, be and it hereby is modified and that the appeal be and it hereby is granted, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, on condition that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

428-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-19 185th street, east side, 160 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(428-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-19 185th street, east side, 160 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2171-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a one-story frame dwelling and one-story garage, the dwelling to be 25 ft. 6 in. by 38 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2171-40, be and it hereby is modified, and that the appeal be and it hereby is granted, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, on condition that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

429-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

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SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-23 185th street, east side, 200 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris and Bertrand M. Bernard.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(429-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed April 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-23 185th street, east side, 200 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2172-40, dated April 4, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, located in an unrestricted use D area district, upon which it is proposed to erect a two-story frame dwelling and one-story garage, the dwelling to be 23 ft. by 27 ft. in area; and

WHEREAS, the applicant contends that this appeal is similar to others previously granted by the Board in the same vicinity; that the plot covered herewith is part of a development of one-family frame dwellings with one-car garages, and the Board is requested to grant this appeal so as to permit the erection of the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2172-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of a frame residence building as proposed, substantially as indicated on plot plans filed herewith and as indicated on plans filed with the borough superintendent, *on condition* that the building shall be restricted to residential occupancy of one family; that the building shall comply with all the requirements of an F area district, except that one side yard need not exceed 5 ft. in width, provided the distance between this house and that on the adjoining lot on either side is not less than 15 ft., except that the chimney breast may extend into the side yard for a distance of not over 1 foot and that uncovered steps of entrances may extend into the side yard; that a garage accessory to this residential building may be constructed on this lot, provided no portion of the garage is nearer than 1 foot on any side line or rear lot line; that the first story of the building shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that any garage, if constructed, shall be constructed in harmony therewith; that in all other respects the building shall comply with the requirements for buildings erected outside the fire limits.

435-40-A.

APPLICANT—Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of Berriman boulevard from north side of 47th street to south side of Steinway street (Block No. 776, Lot No. 150), Long Island City, Borough of Queens (Bowery Sewage Treatment Works).

APPEARANCES—

For Applicant: Carl Hartzelius.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(435-40-A)

WHEREAS, Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, City of New York, owner, filed April 25, 1940, an appeal from a decision of the borough superintendent of buildings; premises East side of Berriman boulevard from north side of 47th street to south side of Steinway street (Block No. 776, Lot No. 150), Long Island City, Borough of Queens (Bowery Sewage Treatment Works); and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 1273-40, dated April 5, 1940, reads:

"Approved roof construction shown on filed plans, sheet no. A-13, is to be amended as shown on additional blueprint, sheet no. Sk-1, filed with this amendment. Exception to Sec. 10.3.1 of the Building Code is intended by the elimination of 1½" of Portland cement concrete above the cork insulation."

and

WHEREAS, the proposed building will be one (1) story and cellar (52.58 ft.) in height, 224 ft. by 208 ft. in area, of Class 1 construction, located in an unrestricted use A area district, and occupied: cellar, boiler-room and sewage treatment, 2 persons; 1st story, control and maintenance; and

WHEREAS, the plot on which the building will be erected will be equipped with a system of yard hydrants; and

WHEREAS, the applicant contends that the building code requirement of 1½-inch thicknesses of fire-resistive coverings over roof insulation is believed to be excessive for a fireproof building with reinforced concrete roof slabs varying from 3¾ in. to 5 in. in depth; that the isolated position of the building will further decrease the negligible fire hazard to roof; that the method proposed in applying insulation and built-up roofing with slag surfacing to roof decks is shown on blueprints of typical roof sections filed with this application; that the built-up roofing will be applied directly to the 2 inches of cork insulation which in turn will be applied to the concrete roof decks or cinder fill, where required for grading; that materials for roofing will meet the requirements of the building code.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 1273-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the roofing materials shall be of an approved type; that there shall be a top pouring over a top ply of felt of 105 pounds of high melt-point, 180 degrees, asphalt or pitch (for steep roofs) and which may be poured at one time, and in which there shall be embedded slag composed of a mixture of medium 5/8-inch and coarse 1 inch, of an amount not less than 450 pounds per square; that if gravel is used, such gravel shall be of the same dimensions as required above for slag and shall be at the rate of 600 pounds per square.

Adjourned, 3:25 P.M.

JOSEPH J. DOYLE, Chief Clerk.

MINUTES

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on March 26, 1940, as they appeared in Bulletin No. 7, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(221-40-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed March 1, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises west side of Cabot street to 138.0 ft. west of the west side of Truxton street and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on F.P. Applic. No. 698-1939, dated March 7, 1940, reads:

"3. Provide a yard hydrant for each twenty thousand square feet of area. Sec. 16.9, Par. d.

4. Submit statement from Department of Water Supply, Gas and Electricity, showing compliance with Sec. 16.6.3.1 or provide tank or fire pump (16.9). Yard hydrant system to have a direct connection to a main independent of sprinkler main.

5. Show that a maximum distance between hydrants is 250 ft. (16.9).

7. Provide monitor nozzles as may be required by the Superintendent. 16.9 Par. 6.

15. Number of siamese connections to be satisfactory to Superintendent. Sec. 16.4.8.1."

and

WHEREAS, the premises consist of a plot 702 ft. by 1,345 ft., irregular in area, upon which is erected a group of buildings used for the manufacture of gypsum blocks; and

WHEREAS, it is proposed to install a yard hydrant system with *three* sprinkler installation connections, as shown on plans filed with this appeal; the proposed yard hydrant system will be connected to an 8-inch city main on Oak Point avenue, fed two ways; and

WHEREAS, the applicant has filed a report of a test made

by the Department of Water Supply, Gas and Electricity, indicating a static pressure of 43 pounds per square inch on the hydrant located on Oak Point avenue; and

WHEREAS, the applicant contends that the plant and type of construction are not hazardous to the extent that a yard hydrant system would be required by the code; that the only combustible material stored on the premises will be newspaper stored in a space about 30 ft. by 60 ft. on the first floor of the Board Mill, paper bags stored in a space about 40 ft. by 50 ft. on the first floor of the Mixer Building, and wood fibre in bales stored in a space about 30 ft. by 50 ft. on the second floor of the Block Plant; that all of the spaces are to be equipped with sprinkler systems connected to approved yard hydrant system, as shown on plans filed with this appeal.

Resolved, that the decision of the borough superintendent, on F.P. Applic. No. 698-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Items 3, 4, 5, 7 and 15, *on condition* that the yard hydrant system shall be installed substantially as shown on plan labeled "Under ground fire protection system, Contract No. 787, Drawing No. N.Y.W. 52", marked "Received March 21, 1940", which plan is represented as complying with the requirements of the Associated Factory Mutual Fire Insurance Companies; *further on condition* that a post indicator valve shall also be installed at the northerly line of the property at Oak Point avenue; that in all other respects the layout as proposed, shall be installed and maintained to the satisfaction of the fire commissioner; that the water pressure shall be as certified to by the Department of Water Supply, Gas and Electricity; that the monitor nozzles may be omitted; and, *granted* only so long as the plant is occupied by the National Gypsum Company or their successors for the general manufacture of gypsum products; that in all other respects the buildings and occupancies shall comply with all laws, rules and regulations applicable thereto, as modified by the Board under Cal. Nos. 701-39-A, 1096-39-A, 1097-39-S, 120-40-A and 121-40-S.

*Correction—The word "two" changed to "three" in line 29 of resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

(Cal. No. 1-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, May 17, 1940, at 10 A.M., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

NOTE—New matter in *italics*; old matter in brackets [] to be omitted.

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the *Borough* Superintendent. The *Borough* Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the *Borough* Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

- 3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the *Borough* Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the constructor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the *Borough* Superintendents. All certificates of qualification issued shall be uniform for the fire Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.
- 4.2.3 The *Borough* Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.
- 4.2.4 *Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year. Such record shall be on a form of certificate as approved by the Board of Standards and Appeals.*

Rule 5. Qualification Test for Welders.

- 5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the *Borough* Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City [may] *shall* be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and [if the operator is to perform overhead welding] two in the overhead welding position.
- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same *general* type of electrodes or welding rods as are to be used in the work for which the operator is being tested. [the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify]

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the *Borough* Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the *Borough* Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the *Borough* Superintendent.

- 9.1.1. *The Borough Superintendent may, in the case of minor welding operations, including stairs*

PUBLIC HEARING

and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge an approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 The welder and the welds shall be protected by adequate covering against high winds, rain, snow or sleet.

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature (of the base metal) is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld (over an area of 9 square inches) shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, [and] Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or seal, affixed by the standard Testing Agency or Inspection Agency, to the effect that these Rules have been complied with.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES, AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drape, curtain or scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—

Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

BULLETIN

OF THE

THE LIBRARY OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DOCKET.

New Cases Filed up to May 21, 1940.

Cal. No. Department. Premises Affected.

515-40-BZ....H.B.Q.....153 Beach 117th street, west side,
440 ft. south of Rockaway
Beach boulevard (Block No.
757, Lot Nos. 28, 32 and 34),
Rockaway Beach, Borough of
Queens,
Misc. Applic. 1886-40.

516-40-A.....F.D.....267 Kent avenue and 29 South
First street, northeast corner
(Block No. 2390, Lot No.
1), Borough of Brooklyn,
83330-L.C.

517-40-A.....F.D.....13-19 White street, southwest
corner of Sixth avenue (Block
No. 178, Lot. No. 25), Bor-
ough of Manhattan,
7842-L.F. and Decision.

518-40-BZ....H.B.Q.....117-30 Springfield boulevard, west
side, 44.54 ft. north of 118th
avenue (Block No. 3358, Lot
No. 61), St. Albans, Bor-
ough of Queens,
Misc. Applic. 139-40.

519-40-SM.....The American Brass Company
Copper Water Tubing, Type
K (for Oil Burners), manu-
factured by The American
Brass Company, Material.

520-40-SM.....Tri-Boro Gasoline Storage Tank,
manufactured by Tri-Boro
Tank Company, Incorporated,
Material.

521-40-BZ....H.B.B.....1818 East 29th street, west side,
126 ft. south of Avenue "R"
(Block No. 6834, Lot No. 10),
Borough of Brooklyn,
Alt. 4586-39.

522-40-A....H.B.M....101-103 Broad street, east side,
42 ft. 2 in. south of Pearl
street (Block No. 7, Lot No.
33), Borough of Manhattan,
Alt. 1085-40.

523-40-A.....H.B.Q.....80-03 190th street, southeast cor-
ner of Union Turnpike (Block
No. 7268, Lot No. 1),
Jamaica Estates East, Bor-
ough of Queens,
N. B. 2316-40.

524-40-A.....H.B.Q.....80-04 190th street, southwest
corner of Union Turnpike
(Block No. 7267, Lot No. 1),
Jamaica Estates East, Bor-
ough of Queens,
N.B. 2469-40.

525-40-A.....F.D.....340-348 Morgan avenue, southeast
corner of Orient avenue
(Block No. 2911, Lot Nos.
6, 21, 25 and 26), Borough of
Brooklyn, 83401-L.C.

526-40-A.....F.D.....63-02 59th avenue (Hemlock)
street, southeast corner of
63rd (Hedwig) street (Block
No. 2755, Lot No. 22), Mas-
peth, Borough of Queens,
Decision—re 82760-L.C.

527-40-SM.....Roddiscraft Protex One Hour
Wood Door, manufactured by
Roddiss Lumber and Veneer
Company, Material.

528-40-BZ....H.B.Q.....114-20 101st avenue, southwest
corner of 115th street (Block
No. 9432, Lot No. 8), Rich-
mond Hill, Borough of
Queens, Alt. 723-40.

529-40-BZ....H.B.B.....1788-1798 Eastern parkway and
2131-2135 Bergen street, north-
east corner (Block No. 1449,
Lot No. 43), Borough of
Brooklyn, Alt. 1108-40.

530-40-SM.....Kinnear Rolling Doors, Kinnear
Rolling Grilles, Kinnear Fixed
Grilles, Kinnear Bi-Folding
Doors, Kinnear Overhead
Doors (Kinnear Trade Type
Rol-Top), Kinnear Vertical
Lift Doors, Kinnear Horizon-
tal Rolling Doors and Kinnear
Horizontal Trap Doors,
manufactured by Kinnear
Manufacturing Company, In-
corporated, Material.

531-40-SM.....The Hospital Supply Company
Overflow for Bedpan Washer,
manufactured by The Hos-
pital Supply Company,
Material.

532-40-BZ....H.B.Bx...988 Forest avenue, east side,
168.65 ft. south of East 165th
street, and 991-1001 Tinton
avenue (Block No. 2659, Lot

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- No. 20), Borough of The Bronx,
Decision—re Certificate of Occupancy.
- 533-40-A.....H.B.Q.....58-04 185th street, southwest corner of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens,
N.B. 2719-40.
- 534-40-A.....H.B.Q.... 58-55 185th street, east side, 520 ft. south of 58th avenue (Block No. 5690, Lot No. 38), Flushing, Borough of Queens,
N.B. 2717-40.
- 535-40-A.....H.B.Q.....58-49 186th street, east side, 480 ft. south of 58th avenue (Block No. 5690, Lot No. 40), Flushing, Borough of Queens,
N.B. 2716-40.
- 536-40-A.....H.B.Q.....58-03 185th street, southeast corner of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens,
N.B. 2715-40.
- 537-40-BZ.....H.B.B.....526-534 Surf avenue, south side, 158 ft. 8¼ in. east of West Sixth street (Block No. 7288, Lot No. 32), Borough of Brooklyn,
Drop Curb Applic. 762-40.
- 538-40-A.....F.D.....24 New Bowery and 24 Chestnut street, east side, 23 ft. 3 in. south of Madison street (Block No. 115, Lot No. 15), Borough of Manhattan,
21535-L.C. and Decision.
- 539-40-A.....H.B.Q.....78-57 223rd street, east side, 54 ft. north of Union Turnpike (Block No. 7780, Lot No. 1), Flushing, Borough of Queens,
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- 540-40-A.....H.B.Q.....78-58 223rd street, west side, 50 ft. north of Union Turnpike (Block No. 7779, Lot No. 1), Flushing, Borough of Queens,
N.B. 2876-40.
- 541-40-A.....H.B.Bx...450 Westchester avenue, south side, 125.36 ft. west of Brook avenue (Block No. 2294, Lot No. 49), Borough of The Bronx,
Alt. 105-40.
- 542-40-S.....H.B.M.....37-43 West 65th street, north side, 100 ft. east of Columbus avenue (Block No. 1118, Lot No. 5), Borough of Manhattan,
Alt. 1013-40.
- 543-40-A.....F.D.....32-34 Westchester square, west side, 185 ft. 6-3/16 in. south of Frisby avenue (Block No. 3984, part of Lot No. 16), Borough of The Bronx,
1872-L.F. and Decision.
- 544-40-BZ.....H.B.B.....2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn,
Alt. 2201-40.
- 545-40-A.....F.D.....633 West 125th street, north side, 418 ft. 6 in. east of Twelfth avenue, and 628-630 West 130th street (Block No. 1996, Lot No. 16), Borough of Manhattan,
Decision—re 20872-L.C.
- 546-40-A.....F.D.....64-68 Rochester avenue and 1864 Atlantic avenue, southwest corner (Block No. 1337, Lot No. 37), Borough of Brooklyn, 82521-L.C. and Decision.
- 547-40-A.....H.B.B.....233 South Third street, north side, 18 ft. 4 in. west of Have-meyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn,
Alt. 752-40.
- 548-40-A.....H.B.Q.....146-16 New York boulevard, west side, 295 ft. north of 146th drive (Block No. 4513, Lot No. 70), Springfield, Borough of Queens,
Misc. Applic. 2772-40.
- 549-40-SM.....Kokomo Sanitary Pottery Corporation Six Gallon Vitreous China Toilet Tank, manufactured by Kokomo Sanitary Pottery Corporation,
Material.
- 550-40-A.....H.B.B.....786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn,
Alt. 302-40.
- 551-40-S.....H.B.M.....3-7 West 22nd street, north side, 120 ft. west of Fifth avenue

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(Block No. 824, Lot No. 32),
Borough of Manhattan,
Decision—re Viol. 750-40.

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289-34-BZ....H.B.B....308 Monroe street, south side, 150
ft. east of Marcy avenue
(Block No. 1819, Lot No.
14), Borough of Brooklyn,
Applic. 11368-34.

235-37-BZ....H.B.Bx...3311-3349 Eastchester road, west
side, 100 ft. north of Given
avenue (Block No. 4743, Lot
No. 20), Borough of The
Bronx, B.N. 382-37.

39-31-BZ....H.B.Q....103-55 to 103-69 93rd street and
93-02 to 93-06 Rockaway
boulevard, southeast corner
(Block No. 394, Lot No. 34),
Woodhaven, Borough of
Queens, N.B. 2215-40.

207-33-BZ....H.B.Bx...3090-3094 Webster avenue and
401-409 East 203rd street,
southeast corner (Block No.
3330, Lot Nos. 65, 66 and
67), Borough of The Bronx,
N.B. 329-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On May 17, 1940, A. Edward Moskowitz, attorney, served on
Board petition and order of certiorari on behalf of Durfey-Ash
Corporation, in re decision of Board of March 12, 1940, Cal. No.
776-39-BZ, denying temporary parking or more than five (5) motor
vehicles, under section 7h, premises 274-280 Wyckoff street, Borough
of Brooklyn.

COURT DECISION.

Cohen vs. Board of Standards and Appeals—On October 31, 1939,
the Board granted an application for parking and stor-
age of more than five (5) motor vehicles, under section
7h, Cal. No. 704-39-BZ, for two years, at 898-720
Livonia avenue, south side, between Wyona and Brad-
ford streets, Brooklyn. Mr. Justice Smith sustained
Board, holding there was no abuse of discretion on
the part of the Board (N.Y.L.J., May 6, 1940).

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Concrete Rules (Hydrated Lime).....	Aug.	3, 1937—Vol. 22, No. 31
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Exit Rules (Revolving Doors).....	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb.	27, 1940—Vol. 25, No. 9
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Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

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Anti-Siphon Valves	Mar.	5, 1935—Vol. 20, No. 10
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Fuel Oil Burners for Domestic and Commercial Use	Aug.	29, 1939—Vol. 24, No. 35
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Gas Heaters	Aug.	29, 1939—Vol. 24, No. 35
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Range Oil Burners and Space Heaters	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers	Nov.	7, 1939—Vol. 24, No. 45

MAY 21, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, May 21,*
1940, at 10 o'clock, in Room 1013, Municipal Building, Man-
hattan, on the following matters:

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under
sections 7c and 21 of the building zone
resolution, of Charles Lee Koester, ap-
plicant, on behalf of Galonite, Inc.,
owner (Harry Cook, lessee), to permit
in a business use district, the extension
of a gasoline service station; premises
179-27 Jamaica avenue, northeast cor-
ner of 179th place (Block No. 9896, part
of Lot No. 1), Jamaica, Borough of
Queens.

CAL. NO. 1012-39-BZ—Application, July 28, 1939, under sec-
tions 7c and 21 of the building zone
resolution, of Lama and Proskauer, ap-
plicants, on behalf of Abraham J. Stern,

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owner (Pilgrim Gas Stations, lessee), to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings Highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 582-38-BZ—Application of Justine Schwab, applicant and owner, reopened April 23, 1940, for consideration as to extension of time to complete work and an amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 1266-25-BZ—Application of Jack Z. Cohen, applicant, on behalf of Max M. Leader, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and extension of an accessory building on an existing gasoline service station (gasoline service station previously granted by the Board); premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

CAL. NO. 1161-39-BZ—Application, September 21, 1939, under sections 7a and 21 of the building zone resolution, of Robert T. Schaefer, applicant, on behalf of Michael McCormick, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop—to be erected, in part, on an existing gasoline service station; premises 4302-4308 Faragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in

a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1100-39-BZ—Application, September 5, 1939, under section 21 of the building zone resolution, of William Wolff, applicant, on behalf of Bertha Geis, owner (Samuel Levine, lessee), to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

CAL. NO. 387-39-BZ—Application of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, reopened July 18, 1939, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board); premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 1308-39-BZ—Application, October 24, 1939, under section 7h of the building zone resolution, of Philip Hirshkind, applicant and lessee, on behalf of Manufacturers Trust Company (as trustee), owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 21, 1940, 2 P. M.

Appeals from Administrative Decisions.

1339-39-A—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

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- 378-40-A—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.
- 354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.
- 158-40-A—58-27, 58-31, 58-35 and 58-39 185th street, east side, 240 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.
- 159-40-A—58-20, 58-24 and 58-28 185th street, west side, 160 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.
- 263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.
- 285-40-A—602 Water street, north side, 47.8 ft. east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan.
- 233-40-A—613-619 West 40th street, north side, 225 ft. west of Eleventh avenue (Block No. 1088, Lot No. 20), Borough of Manhattan.
- 262-40-A—27-16 23rd avenue, west side, 40 ft. north of 28th street (Block No. 853, Lot No. 43), Astoria, Borough of Queens.
- 373-40-A—150-156 Lafayette street, west side, 119 ft. north of Howard street (Block No. 233, Lot No. 19), Borough of Manhattan.
- 138-40-A—43-22 Queens street, west side, 200 ft. south of Jackson avenue, and 43-21 Dutchkills street (Block No. 266, Lot No. 3), Long Island City, Borough of Queens.
- 174-40-A—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Block No. 611, part of Lot No. 1), Borough of Brooklyn.
- 160-40-A—37-15 to 37-19 82nd street, east side, 136 ft. 7 in. south of Polk avenue (Block No. 1470, Lot No. 59), Jackson Heights, Borough of Queens.
- 451-40-A—23 Barclay street, north side, 212 ft. 6½ in. west of Broadway (Block No. 123, Lot No. 4), Borough of Manhattan.
- 381-40-A—142-158 East 59th street, south side, 100 ft. west of Third avenue (Block No. 1313, Lot No. 43), Borough of Manhattan.
- 147-40-A—1-5 Bond street, southwest corner of Shinbone Alley (Block No. 529, Lot No. 10), Borough of Manhattan.
- 182-40-A—573-577 Sackett street, east side, 100 ft. north of Third avenue (Block No. 426, Lot No. 36), Borough of Brooklyn.
- 508-40-A—6-20 West 127th street, south side, 63 ft. west of Fifth avenue (Block No. 1734, part of Lot No. 28), Borough of Manhattan.
- 522-40-A—101-103 Broad street, east side, 42 ft. 2 in. south of Pearl street (Block No. 7, Lot No. 33), Borough of Manhattan.
- 157-40-A—324-326 Gates avenue, south side, 125 ft. east of Bedford avenue (Block No. 1812, Lot No. 11), Borough of Brooklyn.
- 495-40-A-WF—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.
- 176-40-A—14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens.
- 539-40-A—78-57 223rd street, east side, 54 ft. north of Union Turnpike (Block No. 7780, Lot No. 1), Flushing, Borough of Queens.
- 540-40-A—78-58 223rd street, west side, 50 ft. north of Union Turnpike (Block No. 7779, Lot No. 1), Flushing, Borough of Queens.
- Variation of the Labor Law.*
- 111-40-S—300-306 East 145th street, southwest corner of College avenue (Block No. 2325, Lot No. 14), Borough of The Bronx.
- MAY 28, 1940, 10 A. M.**
- Building Zone Applications.*
- NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, May 28, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*
- CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.
- CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

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CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 and 12), Borough of Manhattan.

CAL. NO. 164-40-BZ—Application, February 10, 1940, under section 7h of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Central Savings Bank in the City of New York, owner (George Sonnig, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

CAL. NO. 256-40-BZ—Application, March 7, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

CAL. NO. 265-28-BZ—Application of Otilia Realty Corporation, applicant and owner, reopened February 6, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution,

of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 152-40-BZ—Application, February 8, 1940, under section 21 of the building zone resolution, of Arnold J. Marshall, applicant and lessee, on behalf of John Bodine Estates, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

CAL. NO. 218-40-BZ—Application, February 29, 1940, under sections 7c and 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit the extension, from a business use district into a residence use district, of an existing central telephone exchange, premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 28, 1940, 2 P. M.

Appeals from Administrative Decisions.

454-40-A—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

468-40-A—42-25 Vernon boulevard, northeast corner of 43rd avenue (Block No. 462, part of Lot No. 1), Long Island City, Borough of Queens.

499-40-A—559 Water street, south side, 72 ft. west of Clinton street (Block No. 246, Lot No. 17), Borough of Manhattan.

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- 525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.
- 538-40-A—24 New Bowery and 24 Chestnut street, east side, 23 ft. 3 in. south of Madison street (Block No. 115, Lot No. 15), Borough of Manhattan.
- 546-40-A—64-68 Rochester avenue and 1864 Atlantic avenue, southwest corner (Block No. 1337, Lot No. 39), Borough of Brooklyn.
- 1086-39-A—101 West 80th street and 418-422 Columbus avenue, west side, 51 ft. 2 in. west of West 80th street (Block No. 1211, Lot No. 29), Borough of Manhattan.
- 280-40-A—111-117 47th street, north side, 74 ft. 4 in. east of First avenue (Block No. 735, Lot No. 1), Borough of Brooklyn.
- 437-40-A—3903-3905 Second avenue, east side, 25 ft. 2 in. north of 39th street (Block No. 707, Lot No. 7), Borough of Brooklyn.
- 502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.
- 517-40-A—13-19 White street, southwest corner of Sixth avenue (Block No. 178, Lot No. 25), Borough of Manhattan.
- 505-40-A—910-916 Seventh avenue and 200 West 58th street, southwest corner (Block No. 1029, Lot No. 36), Borough of Manhattan.
- 511-40-A—143-147 Columbus avenue and 71 West 66th street, northeast corner (Block No. 1119, Lot No. 1), Borough of Manhattan.
- 444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.
- 445-40-A—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.
- 498-40-A—69 Moore street, north side, 100 ft. west of Graham avenue (Block No. 3096, Lot No. 27), Borough of Brooklyn.
- 534-40-A—58-55 186th street, east side, 520 ft. south of 58th avenue (Block No. 5690, Lot No. 38), Flushing, Borough of Queens.
- 535-40-A—58-49 186th street, east side, 480 ft. south of 58th avenue (Block No. 5690, Lot No. 40), Flushing, Borough of Queens.
- 536-40-A—58-03 185th street, southeast corner of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.
- 533-40-A—58-04 185th street, southwest corner of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.
- 548-40-A—146-16 New York boulevard, west side, 295 ft. north of 146th drive (Block No. 4513, Lot No. 70), Springfield, Borough of Queens.
- Variation of the Labor Law.*
- 463-40-S—312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn.
- JUNE 4, 1940, 10 A. M.**
- Building Zone Applications.*
- NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 4, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*
- CAL. NO. 344-40-BZ—Application, April 4, 1940, under section 21 of the building zone resolution, of Maurice Courland, applicant, on behalf of Jewish Center, Incorporated, owner, to permit in a residence use district and, also, "B" area district, the erection of an extension to an existing building; the proposed extension does not comply with "B" area yard requirements; premises 131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan.
- CAL. NO. 347-40-BZ—Application, April 5, 1940, under sections 7g and 21 of the building zone resolution, of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.
- CAL. NO. 82-40-BZ—Application, January 22, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of 501 Avenue R Corporation, owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58 East 18th street, west side, 161 ft. 9½ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn.
- CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone

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JUNE 11, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 11, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 312-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elizabeth Linden Kiley, owner (Dora Glicker, lessee), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68 to 71, inclusive, and Lot No. 30), Borough of The Bronx.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, applicant, on behalf of Garbo Garage Corporation, owner, reopened April 16, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

CAL. NO. 179-40-BZ—Application, February 15, 1940, under sections 7a, 7b and 7c of the building zone resolution, of Slee and Bryson, applicants, on behalf of William R. Crowley, owner, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business use throughout; premises 92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn.

CAL. NO. 438-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Fannie Wolf, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

CAL. NO. 300-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Herman M. Cohn, applicant, on behalf of S. & B. Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station and, also, the parking of more than five (5) motor vehicles; premises 1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of Warden H. Fenton, applicant, Director, Bureau of Architecture, Department of Public Works, on behalf of City of New York, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance

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nance of a building (Fire House) not complying with "E" area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

CAL. NO. 252-40-BZ—Application, March 6, 1940, under section 21 of the building zone resolution, of William O. Staber, applicant, on behalf of Home Owners' Loan Corporation, owner, to permit in a residence use district and, also, "E" area district, the maintenance of a garage, accessory to the dwelling on the same lot, said garage not conforming with "E" area requirements as to the ten (10) foot setback from the street line; premises 25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens.

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

JUNE 11, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

240-40-A—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

JUNE 18, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, June 18, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.

CALENDAR

CAL. NO. 488-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of The Centrum Corporation, owner, to permit in a business use district and two and one-half times height district the extension in height of an existing office building, the said extension in height not conforming with the height restrictions of the building zone resolution; premises 62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan.

CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple

dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution, of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MAY 14, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, April 16, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, April 16, 1940, were approved as printed in Bulletin No. 17, Vol. 25.

BUILDING ZONE CASES.

855-27-BZ.

APPLICANT—Shell Oil Company, Incorporated (lessee).
for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new facts December 5, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance and reconstruction of a gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Richard Levy.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., on request of applicant and for further consideration by the Board.

145-40-BZ.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses.

PREMISES AFFECTED—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Opposition: None.

For Administration: Deputy Chief Mack, Fire Department.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M.

67-33-BZ.

APPLICANT—Stein and Wiener, for Harry Weissberg, owner.

SUBJECT—Application reopened April 2, 1940—re consideration as to extension of permit—permit expired April 21, 1938—re Application, previously granted on condition under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Hyman Wiener.

For Opposition: Harold Klorfein, Department of Parks.

MINUTES

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(67-33-BZ)

WHEREAS, this application to permit in a business use district the erection and maintenance of a gasoline service station; premises 3900 Baychester avenue and 1225 East 233rd street, northeast corner (Block No. 4955, Lot No. 1), Borough of The Bronx, was granted by the Board June 13, 1933, for a temporary period of two (2) years, period extended April 21, 1936, for an additional two (2) years; and

WHEREAS, Stein and Wiener, for Harry Weissberg, owner, requested reopening of the application and a further extension of the temporary period; and

WHEREAS, this application was reopened by vote of the Board April 2, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution adopted by the Board on June 13, 1933, as amended April 21, 1936, be and it hereby is amended, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"granted for a term of two (2) years, under section 7f, from the date of this amended resolution, on condition that other than as amended as to the term, the resolution of the Board as adopted June 13, 1933, shall be complied with in all respects, and that any signs in addition to those permitted shall be removed and that the wire fence shall be constructed and maintained on the interior lot lines of the area, as permitted by this resolution."

963-39-BZ.

APPLICANT—West 36th Street Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sol Rosenberg.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(963-39-BZ)

WHEREAS, West 36th Street Corporation, owner, filed July 17, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the build-

ing zone resolution show that 65th street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application 2686-1939, dated June 19, 1939, reads:

"Proposed storage and parking of more than five automobiles in a business use district contrary to Building Zone Resolution. Art. 2, Sec. 4-a, Par. 15. Therefore application disapproved."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 100 ft.; upon the front of the plot there is located a metal stand 30 ft. by 10 ft. in area, used for the sale of vegetables; it is proposed to use the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution, and that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed and that the application be and it hereby is denied.

1470-39-BZ.

APPLICANT—Lama and Proskauer, for Estate of Joseph Guffanti, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Betty Guffanti.

For Opposition: Harold Klorfein, Department of Parks, Lillian Siegel, Bertram H. Seegeltrech and William Obermayer, Jr.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum
and Assistant Chief McCarthy 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(1470-39-BZ)

WHEREAS, Lama and Proskauer, for Estate of Joseph Guffanti, owner, filed December 4, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station; premises 2902-2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean parkway, Neptune avenue and Sheepshead Bay road are in business use districts; West 1st street is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Application No. 3072-1939, dated November 20, 1939, and as amended April 3, 1940, reads:

"2. Proposed one story building to be used as an

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auto laundry, lubritorium and sales office constitutes an extension of a gasoline service station in a business zone and is contrary to Article II, Section 4a (46) of the building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100 ft. on Ocean parkway, 107.9 ft. on Neptune avenue and a distance of 100 ft. along the southerly lot line; the plot, according to filed plans, is now vacant except for three buried gasoline storage tanks of 550 gallons capacity each; it is proposed to erect upon the site a one-story structure, 58 ft. 4 in. by 26 ft. in area, to be used as an auto laundry, lubritorium and office, to maintain the three existing storage tanks and to install the necessary pumps for a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, it appeared from the record of the Fire Department that one 550-gallon gasoline tank was installed on a plot 80 ft. by 80 ft. in 1917, and that while the use was discontinued in 1926, the fee has been paid annually to date; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c, *on condition* that the plot shall be leveled substantially to the grade of Ocean parkway and Neptune avenue; that the existing gasoline tank shall be removed; that the arrangement of the gasoline station shall be substantially as proposed on plans filed with this application; that the accessory building shall be located along the southerly lot line toward the southwest and facing toward Neptune avenue, and arranged for office, lubritorium and laundry, as shown; that the accessory building shall be constructed of incombustible materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals, and provided the roof is surfaced with approved weather-proof surfacing; that there shall be no open excavation under the accessory building; that the room for heating boiler shall be separated from the balance of the building by fireproof material; that there shall be no windows or other openings in the wall of the accessory building opening upon the adjoining properties to the west and south; that the balance of the premises, where not occupied by accessory building and planting, shall be cement paved unless required by the Park Department to be landscaped along the 30 ft. frontage parallel to Ocean parkway; that entrances shall be restricted to two to Neptune avenue, each 35 ft. in width, and two to Ocean parkway, one 15 ft. in width and one 35 ft. in width, provided such entrances to Ocean parkway within the 30 ft. strip are approved by the Commissioner of Parks; that no gasoline pumps erected shall be nearer than 15 ft. to Neptune avenue and no pumps shall be erected within the 30 ft. area along Ocean parkway; that gasoline pumps shall be of the type approved for parkway use; that there shall be erected on the interior lot line to the west, from the accessory building to the Neptune avenue building line, a masonry wall not less than 7 ft. in height, except that such wall may be reduced to 4 ft. in height for a distance of 10 ft. from Neptune avenue; that a similar wall shall be constructed along the southerly lot line from the accessory building, except that such wall may be 2 ft. 6 in. in height for a distance of 30 ft. back from Ocean parkway; that signs shall be restricted to permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line along Neptune avenue, and not nearer than 30 ft. from Ocean parkway of a post

standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of 4 ft.; that during the term of this permit the premises shall be used for no other use other than as herein permitted; that there shall be no parking or repairing of cars; that there shall be no portable tanks used on or from the premises; that complete plans shall be submitted before filing with borough superintendent; that after approval of such plans all permits shall be obtained and all work completed within one (1) year from the date of such approval.

1521-39-BZ.

APPLICANT—S. Walter Katz, for Josephine Newman, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores).

PREMISES AFFECTED—368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Walter Katz.

For Opposition: John Grotheer, William J. Schmidt, Gennie M. Williams, Walter Stein, Alma Grund, A. G. Syska, Eugene W. Purcell and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(1521-39-BZ)

WHEREAS, S. Walter Katz, for Josephine Newman, owner, filed December 19, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing multiple dwelling from residence to business use (stores); premises 368-372 Convent avenue and 452 West 146th street, southwest corner (Block No. 2060, Lot No. 51), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Convent avenue is in a residence and business use district; West 146th street is in a residence and business use district; West 145th street is in a business use district; Amsterdam avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Applic. No. 3166-39, dated November 29, 1939, reads:

"A1. Proposed change of the 1st story of the building from residence use to business use is contrary to Sections 2 and 3 of Art. 2 of the Building Zone Resolution, as amended to June 4, 1937. Note: Building is located in a residence use district. Reconsideration denied."

and

WHEREAS, the existing building is five (5) stories in height, of non-fireproof construction, having a frontage of 93 ft. on Convent avenue and 25 ft. on West 146th street; it is proposed to alter and to convert the occupancy of the first story of the existing multiple dwelling from residence to business use (four stores); and

WHEREAS, these premises and the surrounding area were

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inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed and that the application be and it hereby is denied.

1545-39-BZ.

APPLICANT—Lama and Proskauer, for Mamie Tusa, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and V. Tusa.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1545-39-BZ)

WHEREAS, Lama and Proskauer, for Mamie Tusa, owner, filed December 28, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 86th street is in a business use district; Stillwell avenue, Avenue U, West 13th street and 26th avenue are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, re Application No. 6666-1939, dated December 21, 1939, reads:

"Gas Station, Repair shop auto laundry and lubricatorium in a business zone is contrary to Art. II, Sec. 6 of Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 153 ft. 4 in. on Stillwell avenue, 145 ft. 7 in. on 86th street and a distance of 100 ft. along the south lot line; upon the north portion of the plot there is a legal gas station having a frontage of 100 ft. on Stillwell avenue and 88 ft. on 86th street; a required curbing at the south end of the gas station has (according to filed plans) been removed; upon the south end of the plot is a one-story building, 91 ft. by 33 ft. 8 in. in area, occupied as store, auto laundry and repairing; it is proposed to extend the gas station so as to cover the remainder of the plot between the legal gas station and the building; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case

in which to exercise its discretion to grant under section 7, subdivision c. of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7c, to permit the extension and rearrangement of the existing gasoline station so as to occupy the area as indicated on plans filed with this appeal, with the dimension of 153 ft. 4 in. along Stillwell avenue from the intersection of 86th street, and 145 ft. 7½ in. along 86th street, with a depth of 100 ft., as shown, from Stillwell avenue, where the existing accessory buildings located thereon, on condition that such accessory building shall not be extended in height or area; that all roof signs shall be removed; that signs shall be restricted solely to permanent signs attached to the front facade of the accessory building and to the illuminated globes of the pumps, except that there may be erected, within the building line, a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that a plan shall be filed for further consideration by the Board showing relocation of pumps and curb cut entrances; that such plan shall be submitted within two (2) weeks from the date of this resolution; that the repairing of automobiles may be continued as legally permitted by the borough superintendent of buildings, provided the present area used therefor shall not be extended; that the windows at the rear of the accessory building shall be made fireproof and self-closing; that upon approval of revised plan herein required, all permits shall be obtained and all work completed within six (6) months thereafter.

56-40-BZ.

APPLICANT—William C. Stohldrier and Robert G. Zetsche, for Sheffield Farms Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to a storage garage for more than five (5) motor vehicles and motor vehicle repair shop.

PREMISES AFFECTED—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur J. Peck, William C. Stohldrier and H. McNabb.

For Opposition: Mrs. A. Clausen, Mrs. E. Decker, Edward A. Gabel, E. Weithas, A. Raben and F. W. Horne.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(56-40-BZ)

WHEREAS, William C. Stohldrier and Robert G. Zetsche, for Sheffield Farms Company, Incorporated, owner, filed January 16, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to a storage garage for more than five (5) motor vehicles and motor vehicle repair shop; premises 4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx; and

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WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bronx boulevard is in a residence use district; Bullard avenue and East 242nd street are in residence and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings re Alt. No. 814-39, Dated December 19, 1939, and as amended March 18, 1940, reads:

"1. The proposed change of occupancy within a Residence District, of the 2nd story from stable and office to storage garage and office, is contrary to Sec. 3, Building Zone Resolution.

7. The proposed change of hay storage room on 2nd floor to motor vehicle repair shop is contrary to Sec. 3, Building Zone Resolution."

and

WHEREAS, the existing building is two stories in height, of fireproof construction, with a frontage of 232 ft. 7 in. on Bronx boulevard, 91 ft. 10 in. on East 242nd street and 238 ft. 7 in. on Bullard avenue, and occupied as a milk distributing plant, storage garage, stables, wagon room and office; it is proposed to alter and convert the occupancy of that part of the first story to the north of the existing garage space as a loading space and garage for more than five (5) motor vehicles and to alter and convert the occupancy of that part of the second story, now used as stables, oat and hay room and harness room, to a motor vehicle repair shop and garage for more than five (5) motor vehicles; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, and, also, that this was a proper case for exercise of its discretion under section 7c to permit the rearrangement of the existing stable, garage and milk distributing depot and extension of the garage use.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under sections 7c and 21, to permit the rearrangement of the existing stable, garage and milk distributing depot and extension of the garage use within the building, as shown on plans filed with this appeal, *on condition* that the building shall not be increased in height or area; that the building shall be arranged as indicated on revised plans marked Received May 10, 1940, with an additional entrance as shown to Bullard avenue, a ramp from the first story to the second story, entirely within the building, and with an additional door from the first story to the southerly garage; that the change in use from horses and wagons to light delivery automobiles may be permitted as proposed, provided such automobiles are stored within the building; that minor repairing of such equipment may be permitted within the building provided same is done within the portion of the first story, indicated as garage, and enterable from the first story loading platform area; that such minor repairs shall be only such as are essential and shall not include any heavy repairing requiring other than hand tools; that the private automobiles driven to the premises by the drivers shall either be stored within the building or along the westerly side of Bullard avenue; that no roof signs shall be erected on the building; that the door opening upon Bronx boulevard from the garage section to the south shall normally be kept closed and used only for emergency purposes, and a sign shall be painted on the inside stating this door be kept closed; that as a general rule all entrance and exit of trucks shall be by means of Bullard avenue, except under

extenuating circumstances due to weather conditions, where entrance to Bronx boulevard may be necessary.

88-40-BZ.

APPLICANT—Joseph J. Campbell (lessee), for May E. Campbell, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 7g of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles.

PREMISES AFFECTED—1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

For Opposition: George Rabuse and O. Muckensurm.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner
Savage and Assistant Chief McCarthy 3
Negative: Commissioner Blum 1

THE RESOLUTION—

(88-40-BZ)

WHEREAS, Joseph J. Campbell (lessee), for May E. Campbell, owner, filed January 25, 1940, an application under sections 7a and 7g of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Decatur street is in a residence and business use district; Knickerbocker avenue, Wilson avenue and Cooper street are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings re Applic. No. 3069-39, dated January 22, 1940, reads:

"1. Public garage in a residential zone is contrary to Art. II, Sec. 3 of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 100 ft.; upon the easterly front of the plot there is located a two-story brick dwelling which is to remain; upon the westerly portion of the plot is located a one-story frame garage for more than five (5) motor vehicles, a one-story frame shed for auto storage and a one-story brick office, which structures are to be removed; it is proposed to erect upon the plot a one-story building having a frontage of 65 ft. on Decatur street, a distance of 100 ft. along the west lot line and a distance of 50 ft. along the rear lot line; it is also proposed to alter and to incorporate the existing one-story brick garage building for five (5) motor vehicles (50 ft. by 50 ft. in area) with the proposed structure and to use the entire building as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board is empowered under the provisions of section 7a to permit the extension of an existing building

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and an existing use as herein described and permit the extension and rearrangement of such use; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision g, in view of there being filed consents representing more than 80 per cent. of the owners within the area of notification.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7g thereof, to permit the reconstruction and rearrangement of the existing legal garage buildings, as indicated on plans filed herewith, *on condition* that the building to be used as an addition to the existing one-story brick garage at the rear shall be constructed of fireproof material, except that the roof may be of wood beams and wood boarding, provided the ceilings throughout the proposed extension and the existing garage are fire-retarded in accordance with the rules of the Board and that the roof is surfaced with weather surfacing of approved type; that there shall be no windows or other openings to adjoining interior lots; that there shall be no signs erected on the roof or any portion of the building, except a sign which may be erected over the entrance, if desired, on Decatur street not over 5 sq. ft. in area; that one gasoline tank not exceeding 550 gallons may be erected within the building line and a gasoline pump for supplying solely the cars housed within the existing and proposed garage and not for sale to passing motorists; that no sign shall be erected on the exterior of the building advertising the existence of the gasoline service station or the sale of gasoline; that said gasoline tank and pump shall be located as at present, outside the existing garage, but may be within the proposed garage, provided it is not nearer than 40 ft. to Decatur street; that during the term of this permit the premises shall be used for no other uses than as herein permitted, for the storage of motor vehicles; that no automobile repairing shall be carried on and no sale of gasoline other than to the owners of cars stored in the garage; that no portable gasoline pumps shall be used on the premises; that the boiler room below grade shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

144-40-BZ.

APPLICANT—Benjamin B. Wesley, for Hadley Home Builders, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution.

PREMISES AFFECTED—96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 10 and part of Lot Nos. 1 and 12), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin B. Wesley and John E. Cahill.

For Opposition: M. L. Blum, Lillian R. Blum and Martha Gorman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(144-40-BZ)

WHEREAS, Benjamin B. Wesley, for Hadley Home Builders, Incorporated, owner, filed February 3, 1940, an application under section 21 of the building zone resolution, to permit in a residence use and "E" area district the erection and maintenance of a group of dwellings not conforming with the area requirements of the building zone resolution; premises 96-04 to 96-22 149th avenue, south side, from 96th street to 96th place (Block No. 2362, Lot No. 10 and part of Lot Nos. 1 and 12), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 149th avenue and 96th place are in a residence, business and unrestricted use districts and E and D area districts; 96th street and Albert street are in residence use and E and D area districts; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Application No. 9928-37, dated February 2, 1940, reads:

"1. Provide proper front set back and side yard, as per Section 15 paragraph 'A' and 'D' of Zone law.

2. Area of building is in excess of that permitted in a residence E district at 18' height, sect. 15 c of zone law.

(Not further considered.)"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on 149th avenue, 100 ft. on 96th street and 100 ft. on 96th place; it is proposed to erect upon the site ten two-story, Class 3, one-family dwellings (with garage in cellar); the applicant contends as to the required 10 ft. setback, all the buildings are set back 15 ft. from the building line of 149th avenue; that there are no setbacks on either of the end buildings from 96th street or 96th place; that as to the required side yards, no side yards are to be provided; that as to the excess area of the corner buildings above a level of 18 ft. above the curb, the allowable area is 813 sq. ft. and the actual area is 711 sq. ft.; that as to the excess area of the inside buildings above a level of 18 ft. above the curb, the allowable area is 598 sq. ft. while the actual area is only 697 sq. ft., an excess of 99 sq. ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution, and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that no buildings shall be erected nearer to the street line of 149th avenue than 15 ft., except for open porches or steps, and that the total coverage of each lot by buildings, as proposed on plans filed with this application, shall not exceed 40 per cent. of the area of each lot; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.
420-40-A.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

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SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Administration: Deputy Chief Mack, Fire Department.

ACTION OF BOARD—Laid over to May 14, 1940, at 2 P.M.

57-40-A.

APPLICANT—William C. Stohldrier and Robert C. Zetsche, for Sheffield Farms Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur J. Peck, William C. Stohldrier and H. McNabb.

For Opposition: Mrs. A. Clausen, Mrs. E. Decker, Edward A. Gabel, E. Weithas, A. Raben and F. W. Horne.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(57-40-A)

WHEREAS, William C. Stohldrier and Robert C. Zetsche, for Sheffield Farms Company, Incorporated, owner, filed January 16, 1940, an appeal from a decision of the borough superintendent of buildings; premises 4745-4747 Bronx boulevard and 550 East 242nd street, southwest corner (Block No. 5102, Lot No. 27), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 814-39, dated December 19, 1939, reads:

"2. Provide 1½ hour fire rating, automatic or self-closing fire doors and fixed or automatic fire windows in exterior walls of the garage in 2nd story. Sec. C26-651.0 Administrative Code (10.7.3)."

and

WHEREAS, the building is two stories (28 ft.) in height, 232 ft. 7¼ in. by 91 ft. 10¾ in. in area; of Class 1 construction; equipped with a standpipe system; located in a residence district; erected in 1926, and occupied: 1st story, garage for more than five (5) cars, loading platform and wagon storage, 11 persons; 2nd story, stable for more than five (5) horses, office and drivers' room, 59 persons; it is proposed to occupy the building as follows: 1st story, garage for more than five (5) cars, loading platform and truck storage, 11 persons; 2nd story, storage of more than five (5) cars, office and drivers' room, 59 persons; and

WHEREAS, the applicant contends that the present windows in question on the second story all face on street fronts; that the floor area is protected by two standpipes and is accessible to fire department apparatus from the street; that in the area in question, there are many triple windows in excellent state of repair; that it would be a hardship on the owners to be required to replace same with fixed or automatic fire windows; that the proposed use on the second story as a garage in lieu of this present stable occupancy is less hazardous in view of the present storage

of hay and straw; that the proposed change will improve conditions.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 814-39, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that any windows opening in the southerly lot line wall shall be made fireproof and self-closing, and provided the building and use conforms to the requirements, all laws, rules and regulations, other than as varied by the Board under Cal. No. 56-40-BZ and as shown on the revised plans marked Received May 10, 1940, referred to therein.

Adjourned, 12:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MAY 14, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

93-33-BZ.

APPLICANT—Paul Friedman, for T. H. Fraser Mortgage Corporation, owner.

SUBJECT—Application for reopening and amendment—re Application (decision of the commissioner of buildings), under section 7c of the building zone resolution, permitting, partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—246-250 Atlantic avenue, southwest corner of Boerum place (Block No. 278, Lot Nos. 38, 39 and 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock and Commissioners Savage and Blum 3
Absent: Assistant Chief McCarthy 1

92-36-BZ.

APPLICANT—Consolidated Biological Products, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings) granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: David J. Brown and Philip Freshman.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock and Commissioners Savage and Blum 3
Absent: Assistant Chief McCarthy 1

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94-38-BZ.

APPLICANT—Arthur W. Renander, for Jeho Company, Incorporated, owner.

SUBJECT—Application for reopening—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-04 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: E. J. Helmich, A. B. Gifford and Thomas L. Schrauth.

For Opposition: Jacob Earlich.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

145-40-BZ.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also, the erection of two (2) stables, each for the storage of more than five (5) horses.

PREMISES AFFECTED—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Opposition: None.

For Administration: Deputy Chief Mack, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(145-40-BZ)

WHEREAS, Frank Bambara, for Metropolitan Jockey Club, owner, filed February 5, 1940, an application under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of an existing stable for more than five (5) horses and, also the erection of two (2) stables, each for the storage of more than five (5) horses; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 14, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 166th street, 167th street, 171st street, 172nd street, 173rd street, 132nd avenue and 134th avenue are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Application No. 4-1940, dated January 29, 1940, reads:

"1. Extending a stable is contrary to Art. 2, Sec. 3 and 4 of the building zone resolution."

and
WHEREAS, the decision of the borough superintendent of buildings, re Application 9981 and 9982-39, dated January 29, 1940, reads:

"The erection of a frame building in a business district and residence district for the occupancy of a stable for twenty-two horses, is contrary to the Zone Law and Building Code (Art. II, Sec. 3 and 4, B.Z.R. and Sec. 4.1.2 B.C.)"

and

WHEREAS, the premises consist of a plot of ground bounded by New York boulevard, Baisley boulevard, the right-of-way of the Long Island Railroad and (generally) 134th avenue, occupied by the Metropolitan Jockey Club; upon the plot there are located several stables for more than five (5) horses; it is proposed to erect upon the site two (2) frame buildings, each 144 ft. by 42 ft. in area (shown as A and B on the block diagram), to be used as stables for more than five (5) horses and, also, to extend the area of an existing frame stable for more than five (5) horses 124 ft. by 42 ft. in area, by the addition of a frame extension, 95 ft. by 42 ft. in area (shown as C on the block diagram); and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision a, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7a, to permit the construction of the proposed stable buildings, as shown on plans filed with this application, on condition that such buildings shall comply with the resolution of the Board under Cal. No. 420-40-A and in all other respects with all laws, rules and regulations applicable thereto, and on further condition that the fire-fighting equipment comply with the requirements of the fire commissioner; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

366-38-BZ.

APPLICANT—John F. Trommer, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings), under section 7a of the building zone resolution, permitting, partly in a business use district and partly in an unrestricted use district, the alteration and extension of an existing brewery building.

PREMISES AFFECTED—1656-1672 Bushwick avenue, south side, 236 ft. east of Conway street (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harper Woodward.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(366-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Incorporated, owner, filed May 11, 1938, an application under the building zone resolution, to permit, partly in a

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business use and partly in an unrestricted use district, the alteration and extension of an existing brewery building; premises 1656-1672 Bushwick avenue, south side, 236 ft. east of Conway street (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board July 20, 1938, on certain conditions, time extended April 18, 1939, and owner requests a further extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 20, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

368-38-BZ.

APPLICANT—John F. Trommer, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings), under section 7a of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and a motor vehicle repair shop, to be operated in conjunction with the brewery business on the site.

PREMISES AFFECTED—66-86 Conway street, east side, 204 ft. south of Bushwick avenue (Block No. 3475, part of Lot Nos. 16 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harper Woodward.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(368-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Incorporated, lessee and owner, and New York Rapid Transit Corporation, owner, filed May 11, 1938, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and a motor vehicle repair shop, to be operated in conjunction with the brewery business on the site; premises 66-86 Conway street, east side, 204 ft. south of Bushwick avenue (Block No. 3476, part of Lot Nos. 16 and 10), Borough of Brooklyn; and

WHEREAS, the application was granted by the Board July 20, 1938, on certain conditions, time extended April 18, 1939, and owner requests a further extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 20, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

369-38-BZ.

APPLICANT—John F. Trommer, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the

acting borough superintendent of buildings), under section 7a of the building zone resolution, permitting in a business use district the alteration and extension of an existing brewery building.

PREMISES AFFECTED—1630-1654 Bushwick avenue, south side, 150 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harper Woodward.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(369-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Incorporated, owner, filed May 11, 1938, an application under the building zone resolution, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 150 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, the application was granted by the Board July 20, 1938, on certain conditions, time extended April 18, 1939, and owner requests a further extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 20, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

370-38-BZ.

APPLICANT—John F. Trommer, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings), under section 7a of the building zone resolution, permitting in a business use district the alteration and extension of an existing brewery building.

PREMISES AFFECTED—1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harper Woodward.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(370-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Incorporated, owner, filed May 11, 1938, an application under the building zone resolution, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

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WHEREAS, the application was granted by the Board July 20, 1938, on certain conditions, time extended April 18, 1939, and owner requests a further extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 20, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS. 696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin B. Goldfarb.

For Owner: Nicholas F. Walsh.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., on request of appellant's representative.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin B. Goldfarb.

For Owner: Nicholas F. Walsh.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., on request of appellant's representative.

158-40-A.

APPLICANT—William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-27 to 58-39 185th street, east side, 240 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M., for further consideration by the Board.

159-40-A.

APPLICANT—William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-20 to 58-28 185th street, west side, 160 ft. south of 58th avenue (Block No. 5688, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Opposition: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M., for further consideration by the Board.

240-40-A.

APPLICANT—John J. Gilmartin, for G. V. N. Baldwin, Jr., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for inspection by a committee of the Board.

263-40-A.

APPLICANT—James A. Boyle, for George S. Thain, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M.; no appearance for applicant.

285-40-A.

APPLICANT—Ernest Kamp, for 606 Water Street Corporation, owner (S. Orlinsky and Sons, lessees).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—602 Water street, north side, 47.8 ft. east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Ernest Kamp, H. Orlinsky and Charles Fricke.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M., for inspection by Fire Department and for filing of new plans by appellant.

354-40-A.

APPLICANT—Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

OWNER OF PREMISES—Paul and Juliet Toth.

SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N.B. 3110-37.

PREMISES AFFECTED—24-26 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

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APPEARANCES—

For Applicant: Joseph Ferro.

For Owner: O. A. Wilson, Jr., and Harold A. Malkin.

ACTION OF BOARD—Laid over to May 21, 1940, at 2 P.M., for further consideration by the Board.

383-40-A.

APPLICANT—William L. Kaplow, for Mather Gaver, owner (David Gaver and Sons, lessees).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Gaver.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for inspection by a committee of the Board.

493-40-A.

APPLICANT—Lauritz Lauritzen, for the Very Rev. Msgr. J. Jerome Leddy, Director of Catholic Charities.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101-103 Greene avenue, northeast corner of Vanderbilt avenue (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for inspection by a committee of the Board.

1119-39-A.

APPLICANT—J. and H. H. Goebel, for Edwards Hotel, Incorporated, owner.

SUBJECT—Application for consideration—reopening and reconsideration on alleged new facts—re Appeal from an order and a decision of the fire commissioner (previously denied).

PREMISES AFFECTED—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue, and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock and Commissioners Savage and Blum	3
Absent: Assistant Chief McCarthy	1

85-40-A.

APPLICANT—Charles Landesman, for 3 Vestry Corporation, owner (B. D. Kaplan and Company, Incorporated, lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Landesman and S. Walter Katz.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy

4

Negative

0

THE RESOLUTION—

(85-40-A)

WHEREAS, Charles Landesman (B. D. Kaplan and Company, Incorporated, lessee), for 3 Vestry Corporation, owner, filed January 22, 1940, an appeal from a decision—re an order of the fire commissioner; premises 11 Vestry street, south side, 120 ft. west of Varick street (Block No. 220, Lot No. 25), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 16624-LC, dated March 31, 1940, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system, for instance an automatic sprinkler. Sec. C-19-149-O-C-4, Art. 26, New York City Administrative Code.

2. Reduce quantities of combustible fibres to 1/3 the safe bearing capacity of the floor as certified to by the Department of Housing and Buildings.

3. Reduce quantities of combustible fibres to cover, when baled, not more than two-thirds of the floor space.

4. Reduce quantities of combustible fibres to a height not greater than two-thirds the distance from the floor to the ceiling.

5. Remove obstructions from stairs and doors.

NOTE: Items 2-3-4-5 as per Sec. C-19-149.0-D, Art. 26, New York City Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated December 27, 1939; and

WHEREAS, the building is six stories (76 ft.) in height, 30.6 ft. by 87.7 ft. in area, of Class 3 construction, located in an unrestricted use district, erected in 1909, and occupied for the storing, baling and sorting of wool clips, 20 persons throughout the entire building; and

WHEREAS, applicant contends that no manufacturing of any kind whatsoever is conducted in the building; that it is used solely for the storage of rags and wool clips on the first four floors, baling on the fifth floor, and sorting on the sixth floor; that the building is under continuous daily observation during the entire twenty-four-hour period; that there is an automatic fire alarm system throughout the building registering in the headquarters of the Automatic Fire Alarm Company; that a night watchman and clock service are maintained; that no loose clippings are stored; that this stock is stored at a safe distance from the windows and is never piled nearer than 8 ft. to the ceiling; that ample aisle space is maintained; that the premises are thoroughly ventilated; that there are numerous exits in the building, which also connect with No. 9 Vestry street by means of fire doors on the fifth and sixth floors; and

WHEREAS, the premises and adjoining buildings occupied by the same occupant were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, No. 16624-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, on condition that Items 2, 3, 4 and 5 of the order be complied with, and that the cellar of this building shall not be used for the storage of combustibles unless a non-automatic dry sprinkler system is installed in the cellar; that all windows and doors opening to the interior court shall be made fireproof and

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self-closing; that all rubbish shall be removed from each story, and that in all other respects the storage of the combustible material and the maintenance of the building shall be to the satisfaction of the fire commissioner; that such portable fire-fighting equipment shall be installed as the commissioner shall direct and that automatic fire alarm and watchman service shall be maintained.

206-40-A.

APPLICANT—James Anderson, Jr., for Horn and Hardart Company, owner (115 East 14th Street Company, Incorporated, owner of ground).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—115-117 East 14th street, north side, 25 ft. 2 in. west of Irving place (Block No. 870, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: James Anderson, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(206-40-A)

WHEREAS, James Anderson, Jr., for Horn and Hardart Company, owner, filed February 26, 1940, an appeal from a decision of the fire commissioner; premises 115-117 East 14th street, north side, 25 ft. 2 in. west of Irving place (Block No. 870, Lot No. 18), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated January 26, 1940, reads:

"In reply to your letter of January 25, 1940, relative to the placing of refrigerating equipment on the second floor, with direct expansion outlets carried to the first floor, at the above mentioned premises, please be advised that Section C19-98.0 (b) of the Administrative Code prohibits such installation."

and

WHEREAS, the building is two stories (36 ft.) in height, 50 ft. by 151 ft. 4 in. in area, of Class 3 construction, erected prior to 1900, located in an unrestricted use district, and occupied: cellar, kitchen, 10 persons; 1st story, restaurant, 250 persons; mezzanine, restaurant, 75 persons; 2nd story, machine room, no persons; and

WHEREAS, the applicant contends that it is proposed to install on the second story direct expansion F-12 air conditioning equipment, which will extend by means of ducts from the first to mezzanine stories, as shown on plans filed with this appeal; that the ducts will be equipped with fire dampers, metal grilles and asbestos installation where same pass through floor; that the system will have a capacity of seventy-five tons and will contain approximately 450 pounds of F-12 refrigerant; that the entire building is under the control of one owner; that the proposed installation does not constitute a hazard, and the machinery room will not be used for any other purpose.

Resolved, that the decision of the fire commissioner, dated January 26, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the system shall be installed substantially as proposed, and to the satisfaction of the fire commissioner, and that in all other respects the system and maintenance shall comply with the requirements of the Administrative Code therefor.

237-40-A.

APPLICANT—S. Tocci and Son (lessee), for Salvatore Tocci owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—396 West Broadway, west side, 115.11 ft. south of Spring street (Block No. 488, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Pascarella.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(237-40-A)

WHEREAS, S. Tocci and Son (lessee), for Salvatore Tocci, owner, filed March 1, 1940, an appeal from an order and a decision of the fire commissioner; premises 396 West Broadway, west side, 115.11 ft. south of Spring street (Block No. 488, Lot No. 24), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 19405-LC, dated October 24, 1939, reads:

"Before permit may be transferred from 398 West Broadway, to the address above, the following must be done:

1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system.

Sec. C-19-149.0-C-4, Art. 26, New York City Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated February 1, 1940; and

WHEREAS, the building is three stories (30 ft.) in height, 24.11 ft. by 70 ft. in area, of Class 3 construction, located in an unrestricted use district, erected in 1875, equipped with a non-automatic sprinkler system with outside siamese connection and thermostatic alarm, and occupied: 1st story, sorting and baling of waste paper, 2 persons; 2nd story, sorting of waste paper, 2 persons; 3rd story, same, 2 persons; and

WHEREAS, the applicant contends that the premises are equipped with a non-automatic sprinkler system, with an outside siamese connection and with a thermostatic system, maintained and connected to the central office of the Automatic Fire Alarm Company; that these premises have been used for the same business for upwards of forty-five years; that the second and third stories in the front have access to a fire escape, and stairways lead from each floor to the one below; that the first floor has a concrete floor and a baling press is installed therein; that this floor is used for sorting and packing waste paper; that the second and third floors are only used for temporary storage of baled paper; that the employees are mainly on the first floor, and only go to the second or third floor when storing or removing bales of paper; that usually one and rarely more than two employees are on the upper floor at any one time; that the system with which said building is now equipped is ample protection to confine any fire which may occur.

Resolved, that the order of the fire commissioner, No. 19405-LC, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing non-automatic sprinkler system with outside siamese connection and thermostatic alarm to central district station shall be maintained throughout the building to the satisfaction of the fire commissioner; that the exits and all other conditions shall comply with all other laws, rules and regulations applicable thereto and to the satisfaction of the fire commissioner; that any trap doors in the floors shall be provided with fusible links so as to close readily in case of fire; that this modification shall be continued only so long as the building is occupied substantially as proposed, and

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maintained to the satisfaction of the borough superintendent of the Department of Housing and Buildings and the fire commissioner.

248-40-A.

APPLICANT—Sol A. Herzog, for Seventh Grand Realty Corporation, owner (Rayann Photo Works, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—35-27 30th avenue, northwest corner of 36th street (Block No. 629, Lot No. 41), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sol A. Herzog and Ferdinand Goldfarb.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(248-40-A)

WHEREAS, Sol A. Herzog, for Seventh Grand Realty Corporation, owner, filed March 6, 1940, an appeal from an order and a decision of the fire commissioner; premises 35-27 30th avenue, northwest corner of 36th street (Block No. 629, Lot No. 41), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 81949-C, dated December 7, 1939, reads:

"A recent inspection of your premises, occupied as a laboratory for the development of film has shown that the following must be done in the interest of public safety:

1. Provide that walls of rooms used for handling photographic film be constructed of fire-retarding material, plaster board $\frac{1}{2}$ inch or hard asbestos $\frac{1}{4}$ inch thick on both sides of wood studs.

2. Make doors to room used for handling photographic film metal covered and self-closing.

3. Provide wire guards or shades on electric lights in room used for handling photographic film.

4. Discontinue the use of heating equipment for dry rooms other than the indirect method using gas, steam or electricity.

5. Provide a sprinkler system in the premises. Sprinkler system may be connected to the house water supply. Size and location of piping and heads must be approved by the Fire Department."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated February 29, 1940; and

WHEREAS, the building is one story (18 ft.) in height, 100 ft. by 60 ft. in area, of Class 3 construction, erected in 1925, located in a business use district, occupied for photo finishing under Certificate of Occupancy No. 6071 permitting the use of the building as stores; and

WHEREAS, it appeared that all items of Order No. 81949-C have been complied with except Item 6, calling for a sprinkler system; and

WHEREAS, the applicant stated that nothing but safety film is used on the premises, in view of which the fire commissioner may be willing to revise this order.

Resolved, that the appeal be and it hereby is withdrawn.

303-40-A.

APPLICANT—P. A. Cunnius, for Associated Realty Com-

pany, Incorporated, owner (W. T. Grant Company, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—422-426 Knickerbocker avenue, west side, 50 ft. north of Harman street, and 253 Harman street (Block No. 3278, Lot Nos. 30, 31 and 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. A. Cunnius.

For Opposition: None.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(303-40-A)

WHEREAS, P. A. Cunnius (W. T. Grant Company, lessee), for Associated Realty Company, Incorporated, owner, filed March 25, 1940, an appeal from an order of the fire commissioner; premises 422-426 Knickerbocker avenue, west side, 50 ft. north of Harman street, and 253 Harman street (Block No. 3278, Lot Nos. 30, 31 and 35), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 4287-LF, dated February 27, 1940, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers in Basement* having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the building is one story (18 ft.) in height, with a frontage of 50 ft. on Knickerbocker avenue and a depth of 125 ft. 8 in., with an L fronting 25 ft. on Harman street, of Class 3 construction erected in 1928, located in a business use district, and occupied: basement, stock room and girls' rooms; 1st floor, sales space, 24 persons; and

WHEREAS, the applicant contends that the basement contains two means of egress direct to the street, enclosed in 6-inch terra cotta partitions, and equipped with metal doors; that there is also an interior stairway in the southwest corner of the building which does not lead to the street and which is of similar construction to the two stairs previously mentioned; that there are two flush sidewalk doors which would give additional area of 20 sq. ft. for ventilating the basement; that the merchandise stored in the basement is of a non-hazardous nature; that there is only one person permanently employed in the basement; that due to the adequate number of exits, there is ample protection for firemen in the event of fire without the installation of a sprinkler system.

Resolved, that the order of the fire commissioner, No. 4287-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that the horizontal lines may be close to the ceiling with proper pitch and 1¼-inch drain and with heads pendant, except that, however, sprinkler heads installed in the unpacking space, waste paper room, kitchen (if any) and girls' rest room shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet that all heads shall be under Fire

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Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of the approved type on the exterior of the building at least 10 in. above the sidewalk on both the Knickerbocker avenue and Harman street fronts, and that at such inlets there shall be a sign stating the area covered, which shall be painted aluminum.

308-40-A.

APPLICANT—John E. Lane, for Shore Homes Developers, Incorporated, owner.

SUBJECT—Application reopened and restored to Calendar April 23, 1940—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn.

APPEARANCES—

For Applicant: John E. Lane.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(308-40-A)

WHEREAS, Shore Home Developers, Incorporated, owner, filed March 25, 1940, an appeal from a decision of the borough superintendent of buildings; premises 51-75 Brighton 11th street, east side, 230 ft. north of Ocean View avenue (Block No. 7516, Lot Nos. 2591 and 2596), Borough of Brooklyn; and

WHEREAS, this appeal was withdrawn by the applicant on April 9, 1940, and restored to the Calendar by vote of the Board April 23, 1940; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 398 to 407-1940, dated April 15, 1940, reads:

"One and half ton soil not acceptable to Superintendent."

and WHEREAS, the premises consist of a plot 230 ft. 8 in. by 100 ft. in area, located in a residence use C area district, upon which it is proposed to erect ten one-story buildings, 17 ft. 8 in. in height and 22 ft. by 47 ft. in area each, to be occupied as two-family dwellings and garage, and to be of Class 3 construction; and

WHEREAS, the applicant contends that this appeal is taken to secure an approval of a soil bearing value of one and one-half tons per square foot following a soil test made as required by section 7.5.3.2 of the Building Code; that the superintendent of buildings has allowed a soil value of only one-half ton per square foot, stating that the settlement under the 50 per cent. overload was more than permitted; and

WHEREAS, the premises and other buildings in the area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, on N.B. Application Nos. 398 to 407-1940, inclusive, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

374-40-A.

APPLICANT—Lama and Proskauer, for Delia Waste Products Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1613-1633 Dean street, north side, 127 ft. 13/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(374-40-A)

WHEREAS, Lama and Proskauer, for Delia Waste Products Corporation, owner, filed April 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1613-1633 Dean street, north side, 127 ft. 13/8 in. west of Schenectady avenue (Block No. 1341, Lot No. 31). Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Applic. No. 5120-39, dated April 9, 1940, reads:

"1. Original application for garage, wet wash rag laundry was approved on condition that gasoline tanks and pumps were to be removed."

and

WHEREAS, the building is one story (14 ft. 6 in.) in height, 185 ft. by 214 ft. 5 in., irregular in area, erected in 1923, of Class 3 construction, located in an unrestricted use C area district, and occupied as a factory for washing, sorting and baling of rags, office and boiler room and garage with loading space, pursuant to Certificate of Occupancy No. 33366 issued May 12, 1935, for factory use; and

WHEREAS, the applicant contends that the building, until recently altered, was used as a public garage; that it is now to be occupied as a rag wet-wash laundry; that the two existing 550-gallon gasoline tanks are buried at the Pacific street front of the building, approximately 30 ft. from the front wall, and are separated from the balance of the building by an 8-inch brick wall; that the gasoline in these tanks will be used exclusively by the owners; that the entire building is equipped with a sprinkler system; that in view of these facts it is respectfully requested that this appeal be granted; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, on Applic. No. 5120-39, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the continuation of use of the 550-gallon gasoline tank and pump toward the Pacific street front of the building, on condition that a brick wall not less than 8 in. thick with approved fire doors shall be constructed between this portion of the building and the portion of the building toward Dean street occupied for laundry purposes, as proposed; that this gasoline equipment shall be used solely for servicing the trucks belonging to the occupant of the building engaged in wet wash rag laundry work; that the pipe radiator coil adjacent to the pump shall be either removed or raised to a point on the wall above the top of the gasoline pump; that all signs of every nature on the front of the building on Pacific street, indicating the use of this building as a public garage or for the sale of gasoline, shall be entirely removed; that in all other respects the construction and occupancy of the entire building shall comply with all laws, rules and regulations applicable thereto; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that no portable gasoline tanks shall be used on or from the premises; that at no time shall more than five (5) motor vehicles be stored

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within the building in view of the presence of the public school on Dean street.

380-40-A.

APPLICANT—Nunziato Laino, for Estate of F. W. Loew, owner (George C. Hallock, Jr., Sons, Incorporated, agents).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—390 Pearl street, east side, 20 ft. south of Oak street (Block No. 112, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Saiville.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(380-40-A)

WHEREAS, Nunziato Laino, for Estate of F. W. Loew, owner (George G. Hallock, Jr., Sons, Incorporated, agents), filed April 11, 1940, an appeal from an order and a decision of the fire commissioner; premises 390 Pearl street, east side, 20 ft. south of Oak street (Block No. 112, Lot No. 18), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 20906-LC, dated February 9, 1940, reads:

"1. Provide an approved fire extinguishing system for instance, an automatic sprinkler system, Sec. C-19-149.0-c-4, Art. 26, Administrative Code."

and

WHEREAS, the building is four stories in height, 25 ft. by 68.5 ft. in area, of Class 3 construction, located in an unrestricted use district, and occupied: cellar, vacant; first story, storage of rags, no persons; 2nd and third stories, same; fourth story, storage and manufacture of burlap bags; and

WHEREAS, the applicant contends that he has been engaged in this business for twenty years; that the business has been located at the present address for ten years; that the owner has refused to install a sprinkler system; that the tenant is unable to obtain space elsewhere; that not more than five tons of rags are stored in the building at any one time; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, No. 20906-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, only so long as the lot in the rear remains vacant and the condition of the second, third and fourth stories remain substantially the same as at present, and *on condition* that the first story and cellar remain vacant; that proper protection be installed around any heating equipment, and that no combustible material shall be stored within 5 ft. thereof; that such portable fire-fighting appliances shall be maintained throughout the premises as the fire commissioner shall direct, including proper chemical extinguishers supplied by the owner on each of the occupied stories; that this ruling shall continue only so long as the premises are not increased in height or area and are occupied substantially as at present; that not more than five tons of combustible material shall be stored in the building at any one time and on the three stories; that any trap doors in the floors shall be maintained with a fusible link so as to close in the event of fire.

390-40-A.

APPLICANT—Alfred E. Poor, Chief Architect for Red

Hook Houses Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—120 West Ninth street, blocks bounded by West Ninth street, Mill street, Clinton street, Henry street, Lorraine street and Columbia street (Red Hook Housing Project); (Block Nos. 538, 540, 549, 550, 560, 561, 569 and 570), Borough of Brooklyn.

APPEARANCES—

For Applicant: John P. Riley and Alfred Easton Poor.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(390-40-A)

WHEREAS, Alfred E. Poor, for New York Housing Authority, owner, filed April 15, 1940, an appeal from an order of the fire commissioner; premises 120 West Ninth street, blocks bounded by West Ninth street, Mill street, Clinton street, Henry street, Lorraine street and Columbia street (Red Hook Housing Project); (Block Nos. 538, 540, 549, 550, 560, 561, 569 and 570); (Building No. 27), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4445-LF, dated March 18, 1940, reads:

"1. Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals and the enclosed approved layout."

and

WHEREAS, the building is one story (12 ft. 5 in.) in height, 100 ft. by 47 ft. in area, of Class 2 construction, located in business and unrestricted use districts, and occupied as a nursery school, 125 persons; and

WHEREAS, the applicant contends that the building is one story in height, of fire protected construction, divided into rooms by fireproof partitions; that each room has a door equipped with a panic bolt opening to street; that each room accommodates not over twenty-five children at one time; that the entire building can be vacated in a few minutes; that the occupants are at all times under close supervision; that the building is operated as part of a government subsidized low cost housing project.

Resolved, that the order of the fire commissioner, Order No. 4445-LF, be and it hereby is *modified*, as to Item 1 thereof, and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained, as proposed, and shall not be extended in height or area, and that at all times during school hours shall be under the supervision of a sufficient number of trained attendants; that the existing exits from the classroom shall be maintained equipped with approved panic bolts and doors opening outwardly, and that a periodic fire drill shall be maintained; that a telephone with direct connection, of the non-coin type, shall be installed on the premises in a convenient, central location available at all times with a posted sign giving the telephone number of fire headquarters.

405-40-A.

APPLICANT—Lehigh Valley Railroad Company (lessee), for Department of Docks, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

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PREMISES AFFECTED—Pier No. 38, North River, west side of West street, between West Houston street and Spring street (Block No. 656, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: P. G. Martin, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(405-40-A)

WHEREAS, Lehigh Valley Railroad Company (lessee), for Department of Docks, City of New York, owner, filed April 16, 1940, an appeal from an order of the fire commissioner; premises Pier No. 38, west side of West street, between West Houston street and Spring street (Block No. 656, Lot No. 3), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 15791-LC, dated January 2, 1939, reads:

"1. Have person in charge of the operating of the refrigerating system during each shift secure a license or a Certificate of Qualification from the Boiler Squad, Department of Housing and Buildings, Municipal Building, Manhattan."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 19, 1940; and

WHEREAS, the structure is a pier, 75 ft. front by 914 ft. in length, of Class 5 construction, located partly in an unrestricted use district, and occupied as a freight depot, 100 persons employed; and

WHEREAS, the applicant contends that the lessee has constructed and maintains two refrigerating rooms on the pier, pursuant to permits granted by the Dock Department, both of which are fully automatic and normally controlled by thermostat, each machine having a second unit which will stop it at a certain pressure; that one machine contains 350 pounds of F-12 gas and the other 80 pounds of F-12 gas; that the refrigerant is non-inflammable and non-irritant; that the pier is open between the hours of 8 A.M. and 5 P.M., except on Sundays and holidays; that watchman's service is maintained at all hours; that during business hours the pier is in charge of a general foreman, who applied for a certificate of qualification, but failed the examination by the Boiler Squad, Department of Housing and Buildings; that in view of the failure of the foreman to qualify, the applicant has not asked the pier watchman to apply for certificates, but has employed a duly licensed engineer to supervise the operation and maintenance of the two refrigeration machines; that this engineer is available on call at any time; that the machines are supervised by the manufacturer, whose agents are subject to call at any time in the event the machine fails; that the expense of employing qualified operators in addition to the watchmen at the pier would be prohibitive; that although the watchmen have not the necessary technical training required to obtain certificates, they have been in the applicant's employ for many years and are familiar with the conditions on the pier; that the pier is equipped with a standpipe system and has a chemical fire engine; that if this appeal is not granted, the applicant will have no alternative but to discontinue the refrigeration service.

Resolved, that the order of the fire commissioner, Order No. 15791-LC, Item No. 1, be and it hereby is modified and that the appeal be and it hereby is granted on condition that not more than 350 pounds of refrigerant shall be used in the system, and that in all other respects the system and its supervision shall comply with the requirements of the

Administrative Code for a system containing not over 200 pounds of refrigerant; that any other refrigerating system in the building shall comply with the requirements of the Administrative Code therefor and that such system shall be maintained in all other respects to the satisfaction of the fire commissioner; that this modification shall be continued only so long as the refrigerating system is maintained, as proposed, to the satisfaction of the fire commissioner.

408-40-A.

APPLICANT—Joseph Lau, for Abe Rosenbaum, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—516 East 16th street, south side, 245 ft. 6 in. east of Avenue A (Block No. 973, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(408-40-A)

WHEREAS, Joseph Lau, for Abe Rosenbaum, owner, filed April 18, 1940, an appeal from a decision of the borough superintendent of buildings; premises 516 East 16th street, south side, 245 ft. 6 in. east of Avenue A (Block No. 973, Lot No. 48), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on an amendment to N.B. Application No. 13-1940, dated April 15, 1940, reads:

"4. Terra cotta partition as originally approved must be maintained. Reconsideration denied."

and

WHEREAS, the amendment on which this decision was rendered reads:

"Reconsideration requested to omit the installation of terra cotta partition at rear of 1st story garage as the trucks to be stored in this garage are 24 ft. 4 in. long and it will be impossible for the owner to properly operate his business if this wall is installed. In order to use any one of the trucks with the wall in place it would be necessary to run two or three trucks on to the street so the truck which is to be used can leave the garage, then it would be necessary to replace the trucks again until the time when another truck is to be sent out when the process would be repeated. Truck traffic over the sidewalk would be eliminated if there was more manipulating space in the garage more readily as required for business purposes thus saving the unnecessary traffic over the sidewalk which this limitation of clear inside space produces."

and

WHEREAS, the building will be two stories (35 ft.) in height, 25 ft. by 103 ft. 3 in. in area at first story and 25 ft. by 80 ft. in area above, of Class 1 construction on first story and Class 3 construction on the second story, located in an unrestricted use district, and to be occupied: cellar, boiler room; first story, garage for not more than five (5) trucks, motor vehicle repair shop and office, 5 persons; second story, dwelling, two families; and

WHEREAS, applicant contends that the entire first story and cellar of this new building will be entirely of fireproof construction throughout; that the second story partitions shall be of wood studs covered with metal lath and ¾-inch cement plaster; that the roof beams of wood will be covered on the underside with metal lath and ¾-inch cement plaster; that there is a steel stair leading from second story to street and a fire escape at the front of the building;

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that the first story of this proposed building will be used for the storage and repair of the owner's trucks, which are 24 ft. 4 in. long; that it will be impossible for the owner to operate his business if a terra cotta wall is installed subdividing the garage space; that in order to use any one of the trucks with the wall in place it would become necessary to run two or three trucks out on the street so that the truck which is to be used can leave the garage; that it would be necessary to replace the trucks again until the time when another truck is to be sent out; that truck traffic over the sidewalk would be greatly lessened if there was more manipulating space in the garage; that more trucks could be placed in a row in depth and could be taken from the garage more readily, as required for business purposes, thus saving the unnecessary traffic over the sidewalk which this limitation of clear inside space involves.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 13-40, Objection No. 4, dated April 15, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the omission of the proposed terra cotta partition required by the borough superintendent as a condition of the permit, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations relating thereto, and that at no time shall the building be occupied by more than five (5) motor vehicles in view of the existence of the school within the block.

420-40-A.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Administration: Deputy Chief Mack, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(420-40-A)

WHEREAS, Frank Bambara, for Metropolitan Jockey Club, owner, filed April 23, 1940, an appeal from decisions of the borough superintendent of buildings; premises 163-02 Baisley boulevard, southeast corner of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens, and more specifically described as to the locations of the buildings in question as follows: West side of 162nd street, approximately 30 ft. south of 132nd avenue, west side of 172nd street, between 132nd and 134th avenues, and the east side of 172nd street, between 132nd and 134th avenues; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 4-40, dated April 18, 1940, affecting premises west side of 162nd street, 30 ft. south of 132nd avenue, reads:

"2. Frame construction within the fire limits is contrary to sec. 4.1.2. of the Bldg. Code."

and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 9981, dated April 18, 1940, affecting premises 172nd street, east and west sides, between 132nd and 134th avenues, reads:

"The erection of a frame building * * * is contrary to * * * Building Code * * * Section 4.1.2 * * *."

and

WHEREAS, the premises consist of a large area fronting 1,807 ft. on New York boulevard, 1,677 ft. on Baisley boulevard, 3,353 ft. on the Long Island Railroad right-of-way, comprising the premises occupied by the Metropolitan Jockey Club as a race track; located in a residence and business use D area district; the buildings in question are located in a residence use D area district; and

WHEREAS, it is proposed to erect two frame one-story stable buildings, each 144 ft. by 42 ft. in area, under N.B. Applic. Nos. 9981 and 9982-39, and to extend an existing stable building under Alt. Applic. No. 4-40 by adding thereto a one-story extension, 95 ft. by 42 ft. in area, of similar construction, to the existing structure; all three of these buildings are to be occupied as stables for more than five (5) horses in connection with the race track use on the premises; and

WHEREAS, the applicant contends that the buildings are located within a private area known as Jamaica Race Track; that at no point is any building located less than 400 ft. from any other building other than those buildings which are part of the race track and which are occupied as stables.

Resolved, that the decisions of the borough superintendent, acting on N.B. Applic. No. 9981-1939, to permit the construction of the two (2) one-story stable buildings, of frame construction, and to permit the frame extension of existing stable building, acted on by the borough superintendent under Applic. No. 4-40, Objection No. 2, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the buildings and occupancy meet all the requirements of all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 145-40-BZ.

432-40-A.

APPLICANT—James Anderson, Jr., for Hoddersen Brothers, owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—307 Sumpter street, north side, 330 ft. east of Hopkinson avenue (Block No. 1521, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: James Anderson, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(432-40-A)

WHEREAS, James Anderson, Jr., for Hoddersen Brothers, owners, filed April 27, 1940, an appeal from an order and a decision of the fire commissioner; premises 307 Sumpter street, north side, 330 ft. east of Hopkinson avenue (Block No. 1521, Lot No. 64), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 82640-LC, dated February 9, 1940, reads:

"1. Discontinue and remove the direct method of refrigeration from that part of the building prohibited by C-19-98-b, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated March 12, 1940; and

WHEREAS, the building is two stories (23 ft.) in height, 25 ft. by 130 ft. 11¾ in. in area, of Class 3 construction, located in a residence and business use district, erected in 1913, and occupied: cellar, machinery room, no persons; first story, manufacture of pork products and cold storage; second story, cold storage, 1 person; and

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WHEREAS, the applicant contends that the refrigerating system consists of a small Class C Freon-12 installation of two tons capacity and contains nineteen pounds of refrigerant; that the entire building is occupied by the owner and has been used by them for the same purpose for a period of over twenty-five years.

Resolved, that the order of the fire commissioner, No. 82640-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the system shall be installed substantially as proposed and to the satisfaction of the fire commissioner; that the return and suction lines through the first story shall be protected from mechanical injury to the satisfaction of the fire commissioner; that in all other respects the system and maintenance shall comply with the requirements of the Administrative Code therefor; that in all other respects the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified herein and as modified under resolution adopted by the Board under Cal. No. 378-39-BZ.

433-40-A.

APPLICANT—Safety Truck Tank Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner—re Transportation of Gasoline in Tank Trucks (construction of tanks not built of steel in accordance with Fire Department specifications covering tanks) in New York City.

APPEARANCES—

For Applicant: J. R. White and Harold R. Deaman.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(433-40-A)

WHEREAS, Safety Truck Tank Corporation, owner, filed April 24, 1940, an appeal from a decision of the fire commissioner, relating to the use of fifteen (15) tanks to be mounted on trucks for the transportation of gasoline in the City of New York; and

WHEREAS, the decision of the fire commissioner, dated April 9, 1940, reads:

"In reply to your letters of March 18th and 20th and April 3, 1940 wherein you request the acceptance of tanks constructed of eight gauge steel for the transportation of volatile inflammable oils in this city, please be advised that the Fire Commissioner has directed me to inform you that these tanks do not conform to Section 5.1 of the Specifications of this Department in that they are not 3/16-inch selected steel throughout, and in view of this your request for the acceptance of these tanks to be used in the transportation of volatile inflammable oils in the City of New York must be denied."

and

WHEREAS, the applicant requests a modification of the provisions of the Administrative Code, to exempt from compliance with the fire commissioner's rule fifteen tanks constructed of No. 8 gauge steel instead of No. 7 gauge or 3/16-inch steel; the tanks to be used by the major oil companies for the transportation of gasoline within the City of New York, each tank consisting of eight compartments of 240 gallons each, a total of 1,920 gallons; the applicant contends that the tank shells or bodies are fabricated by Butler Manufacturing Company of Kansas City and are shipped to the applicant's shop in Long Island City, where the assembly is completed by furnishing and installing all valves,

fittings, covers, skirting, cabinets, and then mounting the tank and completing the test; that the actual variation in steel thickness is slight; that in steel mill practice, 3/16-inch steel comes under the plate classification and is rolled to Birmingham Gauge; that under this gauge the thickness of 3/16-inch in decimal equivalent is .1800 in.; that No. 8 gauge steel comes under the sheet classification and is rolled to U.S. Standard Gauge; that under this gauge the thickness of No. 8 steel in decimal equivalent is .1685 in.; that the difference between the two decimal equivalents is .0115 in., or only 6½ per cent. less than 3/16-inch steel; that the National Fire Protection Association, the American Petroleum Institute and the Interstate Commerce Commission all permit tanks of this capacity for use throughout the country to be fabricated of No. 10 gauge steel; that such gauge is two gauges lighter than the No. 8 gauge, which is used in these fifteen tanks, and three gauges lighter than required by the Fire Department specifications; that there is, therefore, a wide margin of safety provided by these No. 8 gauge tanks as compared to requirements for tanks used elsewhere.

Resolved, that the decision of the fire commissioner, dated April 9, 1940, be and it hereby is *affirmed* that the appeal be and it hereby is *denied*.

447-40-A.

APPLICANT—J. Sarsfield Kennedy, for Ral Herb, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—115 Livingston street and 12 Court square, northeast corner (Block No. 153, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Sarsfield Kennedy.
For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(447-40-A)

WHEREAS, J. Sarsfield Kennedy, for Ral Herb, Incorporated, owner, filed April 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 115 Livingston street and 12 Court square, northeast corner (Block No. 153, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 1540-1940, dated April 18, 1940, reads:

"1. Proposed conversion of 2nd floor of frame building in the fire limits to business use is contrary to Sec. 4.1.2, as per Sec. 2.1.3.5 of Code."

and

WHEREAS, the building is two and three stories (30 ft.) in height, 21 ft. 4 in. by 48 ft. 4 in. in area, of Class 4 construction, erected about fifty years ago, located in a business use district, and occupied: cellar, boiler room; first story, bar and restaurant; second story, dwelling, one apartment; third story, dwelling, one apartment; proposed to be occupied: cellar, same; first story, same; second story, dining room; third story to remain vacant; and

WHEREAS, the applicant contends that the building is constructed of 2 in. x 4 in. and 4 in. x 4 in. wood studs, filled in solidly with brick from top to bottom of building; that it is proposed to remove the present 2 ft. 6 in. stairway leading from the first to second story and to install a fire-retarded stairway, 4 ft. in width, with hand rails on both sides, as a means of direct egress to the street from the second story; that it is also proposed to install a new 3 ft. stairway direct from the first story to the second story din-

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ing room, and to provide a toilet room on the second story and a new toilet room on the first story; that it is also proposed to remove the staircase leading from the second to third story and to seal same over; to install elsewhere a 2 ft. by 3 ft. scuttle with iron ladder connected therewith, and to use the second story for dining purposes only, thus making possible (for this non-productive portion of the building) a return on the building; and

WHEREAS, Certificate of Occupancy No. 64751, issued July 3, 1931, permitted the occupancy of the first story as stores, second story as dwelling, one family, and the attic to remain vacant.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Applic. No. 1540, Objection No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the exterior walls facing the street front shall be brick-filled for their full height, other than where openings occur, and that such walls shall be cement stuccoed on the exterior; that the wall on the interior lot line shall be solid masonry not less than 12 in. in thickness, for the full height; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the third story over a portion of the building shall remain vacant, and *granted* only so long as the building is occupied as proposed.

203-37-A.

APPLICANT—West Harlem Service Company, Incorporated, for White Bay Realty Corporation, Wilson and Company, Swift and Company, Francis Signanan, et Cie, and George Schaefer and Sons, Incorporated, owners and lessees.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—2270, 2290-2292 and 2322 12th avenue, west side, between St. Claire place and West 133rd street, 2276 12th avenue, also 2305 12th avenue, east side, 30 ft. north of West 131st street (Block No. 2004, Lot Nos. 8, 12 to 18, 37, 40, 42, 46, 65, 68, 71, 72, 74 and 102 and Block No. 1998, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Greenberg.

For Administration: Inspector Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum..... 3

Negative 0

Absent: Assistant Chief McCarthy..... 1

THE RESOLUTION—

(203-37-A)

WHEREAS, West Harlem Service Company, Incorporated, for White Bay Realty Corporation, Swift and Company and Wilson and Company, owners and lessees, filed May 4, 1937, an appeal from a decision of the fire commissioner, affecting premises 2270, 2290-92 and 2322 12th avenue, west side, between St. Claire place and West 133rd street (Block No. 2004, Lot Nos. 8, 12 to 18, 37, 40, 42, 46, 65, 68, 71, 72, 74 and 102), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated April 5, 1937, reads as follows:

"Replying to your letter of March 30, 1937, wherein you request permission to extend the present ammonia piping system at 2292—12th avenue to the Swift & Co. building at the N. W. Cor. of 132nd street and 12th avenue, also to the Wilson & Co. building at the N. W. Cor. of 129th street and 12th avenue, we regret your request cannot be granted for the reason that the interpretation of Sec. 219 (b) confines the direct method

of refrigeration to a single building and then only under specific limitations.

"However, if you desire to appeal from the above decision, your appeal may be taken to the Board of Standards and Appeals, Room 1002, Municipal Building, New York City."

and

WHEREAS, this appeal was granted by the Board June 2, 1937; resolution amended November 3, 1937 and January 9, 1940, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 2, 1937, as amended by resolution adopted November 3, 1937 and January 9, 1940, so that as amended, it shall read:

"Resolved, that the decision of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is *granted*, to permit the extension of the existing ammonia system across 132nd street to the building proposed to be refrigerated (from the central system at 2290-2292 12th avenue) located on Lot 102 in Block 2004 and known as 2322 12th avenue, now being improved with a meat storage and packing building for Swift and Company to permit Swift and Company to construct in the said proposed building of three stories in height, 10,000 ft. of 2-inch pipe containing ammonia as the refrigerant, with a one-story freezer room directly in the rear of the same, the second floor to contain the bunker with coils and around the bunker refrigerated space, as shown on the plans submitted herewith; the third floor to be used only for dry storage and to contain no refrigeration whatever, and also an extension across 125th street to buildings occupied by Wilson and Company, Lots 12 and 14, in Block 2004, known as 2270 12th avenue, *on condition* that the suction and return line where passing under street shall be enclosed in heavy cast-iron pipe with bolted flanges and in addition that the return line shall be insulated with two inches of cork; that the approval as to the location below the surface of the street shall be obtained from the department of the City of New York having jurisdiction and the utility companies affected; that conditions shall be generally as shown on plans filed with this appeal; that nothing herein contained shall be understood to approve the existing installation or to permit at any time more than 3,000 pounds of ammonia in the entire system; that the refrigerating plant shall be maintained in accordance with the requirements of the fire commissioner and in accordance with the Refrigeration Code, except as herein modified, and that this permit be subject to a proper franchise granted by the City of New York as approved by the Board of Estimate and Apportionment.

"Resolved further, that the refrigerating service herein permitted to the building known as No. 2270 12th avenue, extending to No. 2276 12th avenue, and occupied on the first floor by Wilson and Company, may be extended to the second floor, occupied by Francis Signanan, et Cie, Incorporated, candy manufacturer, provided the existing refrigerating machines permitted by the Fire Department under Permit No. 22182, expiring May 12, 1940, are discontinued and that the extension of the refrigerating system is connected with the same coils and blower system as formerly used by the refrigerating units, and that a shut-off valve shall be located in an accessible position, as approved by the fire commissioner.

"Resolved further, that the refrigerating service herein permitted at the building 2270 12th avenue may be extended to include the building at 2305 12th avenue, occupied by George Schaeffer and Sons, Incorporated, as indicated on plans marked Received May 7, 1940, providing the requirements of the above resolution are complied with and that a shut-off valve is located within an accessible position, as approved by the fire commissioner."

MINUTES

VARIATION OF THE LABOR LAW.

434-40-S.

APPLICANT—American Machine and Foundry Company, owner.

SUBJECT—Application for a variation from the requirements of the labor law, as cited in a decision of the fire commissioner.

PREMISES AFFECTED—5502-5520 Second avenue, west side, entire block from 55th street to 56th street (Block No. 828, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul C. Mace.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(434-40-S)

WHEREAS, American Machine and Foundry Company, owner, filed April 24, 1940, an application for a variation of the labor law, as cited in a decision of the fire commissioner; premises 5502-5520 Second avenue, west side, between 55th and 56th streets (Block No. 828, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a decision of the fire commissioner, dated April 9, 1940, reads:

"This will acknowledge receipt of your letter of March 28, 1940, wherein you advise that our response to your letter of January 26, requesting a permit for your employees to smoke in the above-mentioned premises has been mislaid.

In reply, you are advised that in our previous communication your application for the permit was denied and as the same conditions prevail at the present time, we must again disapprove your application."

and

WHEREAS, the previous decision of the fire commissioner, referred to in the decision of April 9, 1940, reads as follows:

"In answer to your communication of January 24, you will please be advised that your request for a permit for your employees to smoke in certain sections of the above mentioned premises has been given careful consideration and in view of the large number of persons that are employed in the building, and the hazardous conditions that exist, your request must be denied.

The records indicate there is a very large number of persons employed in the building, and therefore smoking by these employees would create an extra hazard and possibly jeopardize the lives of all the workers in the building."

and

WHEREAS, the building is four and five stories (84 ft.) in height, 200 ft. by 700 ft. in area, of Class 1 construction, erected in 1921, located in an unrestricted use district, and occupied: cellar, storage, shipping, locker room and cafeteria, 30 persons; first story, storage, office and machinery, 595 persons; second story, storage, office and machinery, 595 persons; third story, storage and machine assembly, 595 persons; fourth story, same, 595 persons; fifth story, storage, foundry and office, 30 persons; and

WHEREAS, the building is equipped with a sprinkler system, an interior fire alarm system, eight interior stairs leading from street to roof, enclosed in fireproof construction, and equipped with fireproof, self-closing doors at openings, four exterior stairs leading from the roof to the yard, with egress from termination through yard to street, and windows on the course of the fire escape which are fireproof; and

WHEREAS, the applicant requests permission to allow smoking in various portions of the building; and

WHEREAS, the applicant contends that permits have been issued by the fire commissioner since 1931 permitting smoking on the premises; that a renewal of these permits is requested; that the fire protection and the conditions under which the permits were previously issued are being maintained; that the cafeteria and the offices are separated from the balance of the building by fireproof construction; that an adequate number of portable fire extinguishers are available in addition to the sprinkler system; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law, as cited in a decision of the fire commissioner, dated April 9, 1940, and that the application be and it hereby is granted, to permit smoking in the following portions of the building:

1. In the offices, engineering department and cigar testing room, all of which are located on the fourth story at the Second avenue end of the building, known as Sections B, C and E.

2. In the offices located on the second story at the Second avenue end of the building, known as Section E.

3. In the office on the first story at the Second avenue end of the building, known as Section C.

4. In the engine and fire room in the cellar and on the first story, on the 55th street side of the building, known as Section D.

5. In the restaurant, wash and locker rooms located in the cellar, in Sections A, B and C.

on condition that in the manufacturing and storage portions of the building no smoking shall be permitted except during the lunch period between 12 M. and 1 P.M. each day, and after hours between 5:30 and 6:00 P.M., except that smoking at no time shall be permitted in any proposed section of the building in which paint spraying is carried on; that in all other respects the requirements of the Board as to smoking in factory buildings shall be complied with.

MATERIALS SUBMITTED FOR APPROVAL.

231-40-SM.

APPLICANT—Limestone Products Corporation (agent), for Vermarco Lime Company, owner.

SUBJECT—Vermarco Masonry Quicklime, Vermarco Finishing Quicklime and Vermarco Hydrated Lime, approval of.

APPEARANCES—

For Applicant: P. J. McCaffrey.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(231-40-SM)

WHEREAS, Limestone Products Corporation (agent), for Vermarco Lime Company, owner, filed March 1, 1940, an application with the Board of Standards and Appeals for approval of the materials known as Vermarco Masonry Quicklime, Vermarco Finishing Quicklime and Vermarco Hydrated Lime; and

WHEREAS, these materials were submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 231-40-SM.

Subject: Approval of Vermarco Masonry Quicklime, Vermarco Finishing Quicklime and Vermarco Hydrated Lime.

The Limestone Products Corporation, agent for Vermarco Lime Company, owner, filed March 1, 1940, an

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application with the Board of Standards and Appeals for approval of the materials known as Vermarco Masonry Quicklime, Vermarco Finishing Quicklime and Vermarco Hydrated Lime, under the provisions of Sec. C26-312.0 a and b (7.1.1.7.1 and 2) and C26-313.0 (7.1.1.8.1.).

Vermarco Masonry Quicklime, Vermarco Finishing Quicklime and Vermarco Hydrated Lime is made by the applicant at their plant located at West Rutland, Vermont, from marble taken from open quarries and from a deep marble tunnel. The deposit covers the entire length of the marble belt in the vicinity, a distance of about thirty miles. The stone is transported to a crushing plant in sizes ranging from large blocks to small pieces.

The first crusher is a large 60 ft. by 48 ft. Allis Chalmers swing jaw crusher which feeds into a No. 6 Allis Chalmers gyratory crusher. This material is further sized in screens and separators before it reaches the kilns. These are two-story kilns, each 120 ft. long. The temperature ranges up to 2,200 degrees Fahrenheit and there is a continuous flow of lime. Oil is used as fuel controlled by proper gauges and pyrometers.

The stone is of a granular material and disintegrates during calcination so that the finished product is granular in form. When the lime is discharged from the kiln it goes to the cooler and elevators into storage bins ready for shipment in bulk or to be packaged.

The bins are of airtight steel and have a reserve storage of approximately 1,000 tons. There are automatic weighing and bagging machines, manufactured by the St. Regis Paper Company. Valve bags made of four-ply waterproof sheets all used and wooden or steel barrels are used 180 pounds or 280 pounds net. Chemical tests are made every half hour and chemical analysis at regular intervals. Samples of the materials were selected at the plant and tested at the chemical laboratory of Columbia University under the supervision of Professor Lincoln T. Work for compliance with the provision of C26-312.0a (7.1.1.7.1) and C26-313.0 (7.1.1.8.1) Administrative Building Code, which requires that the material shall meet the requirements of C5-26 of A.S.T.M.

CHEMICAL ANALYSIS

	Vermarco Quicklime	Finishing Quicklime	Hydrated Lime
Loss on Ignition	.78	1.94	26.00
Silica (SiO ₂)	1.55	1.70	1.00
Combined Oxides (R ₂ O ₃)	.52	.63	.47
Lime (CaO)	96.85	95.99	71.73
Magnesia (MgO)	1.04	.65	.40
	100.74	100.91	99.60
Carbon Dioxide CO ₂	.76	1.60	2.15
Sieve Residue			
On No. 20	.006	.006	....
30	....	....	Trace
100	....	....	3.96
Plasticity	500.1	....	....
Soundness	....	....	....

The A.S.T.M. standards involved included C5-26 for Quicklime for the test reported by the Hunt Company, which ran the soundness and plasticity tests. In order to check the conformity of the samples and specifications they were computed on the non-volatile bases with the following results:

Chemical Analysis, Non-Volatile Bases:

Silica (SiO ₂)	1.55	1.72	1.36
Combined Oxides (R ₂ O ₃)	.52	.64	.64
Lime (CaO)	96.89	96.98	97.46
Magnesia (MgO)	1.04	.66	.54
	100.00	100.00	100.00

The quicklime conforms with the requirements of A.S.T.M. Specification C5-26. The Hydrate with C6-31 having a total of 98.00% calcium and magnesium. The finishing lime conforms to C5-26 and C6-31.

On the basis of the foregoing data the committee recommends the approval of Vermarco Quicklime, Vermarco Finishing Quicklime and Vermarco Hydrated Lime under section C26-312.0a and b (7.1.1.7.1 and 2) C26-313.0 (7.1.1.8.1) C26-463-4.0 (8.4.10.7 and 8) when maintained to the specifications contained therein on condition that monthly mill test reports from each mill certified by the applicants be filed with the Board and that all bags and barrels of this material shall be tagged, labelled or marked, 'Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 231-40-SM.'

It is further recommended that in using these materials precaution shall be taken as follows during the slaking:

LUMP QUICKLIME FOR FINISHING COAT:

1. Quicklime when slaked must be brought to boiling point so as to bring out plasticity and cementing strength.

2. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 lbs. lump lime.

3. When action has stopped, to prevent cracking, add white sand at the rate of 1 cu. ft. to 280lbs. of lime, and then run slaked putty through mash or finer screen to remove coarse grit or overburned lime.

4. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.

5. When weather is cold, start slaking action with less water, after boiling has started, add the required quantity of water to properly slake the lime.

6. Store for two weeks before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

7. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 lbs. lime putty to 100 lbs. Keene cement, the quantity of putty determining the hardness of the finish.

For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

GRANULAR AND PULVERIZED QUICKLIME FOR FINISH COAT

1. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added to the rate of 60 to 70 gallons to the barrel of 280 lbs. lump lime.

2. Place in a ratio of 20 to 25 gallons of clean water to 80 lbs. of lime in a water-tight box. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.

3. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.

4. Store for at least 72 hours before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

5. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 lbs. lime putty to 100 lbs. Keene cement, the quantity of putty determining the hardness of the finish.

For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

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SLAKED QUICKLIME FOR SCRATCH COAT

1. While the quicklime is slaking and immediately before completion of slaking, distribute hair or fibre at the rate of 2 lbs. to each 100 lbs. of lime uniformly, by thorough hoeing before adding any sand. Clean, sharp sand shall be added at the rate of two parts of sand to one part of putty.

2. Store for two weeks before using, and protect against drying and frost action.

QUICKLIME FOR BROWN COAT

1. Same as for scratch coat, using slightly less hair and adding sand at the rate of 3 parts to 1 part of putty by volume.

2. Store for at least two weeks before using.

ALL QUICKLIMES FOR MASONRY

1. Same precaution to be used as for quicklime for finish coat, excepting that the putty may be used after storage for at least 48 hours, with no addition of hair or screening.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the materials known as Vermarco Masonry Quicklime, Vermarco Finishing Quicklime, and Vermarco Hydrated Quicklime, on condition that the material be manufactured, used, and labelled, stamped or tagged in accordance with above report.

257-40-SM.

APPLICANT—Celotex Corporation, owner.

SUBJECT—Acousteel (soundproofing), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(257-40-SM)

WHEREAS, the Celotex Corporation, owner, filed March 7, 1940, an application with the Board of Standards and Appeals for approval of the material known as Acousteel (soundproofing); and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

May 11, 1940.

Re: Cal. No. 257-40-SM.

Subject: Acousteel (soundproofing) approval of.

The Celotex Corporation of Chicago, Ill., filed a request with the Board of Standards and Appeals on March 7, 1940, for use of their acoustical material under the pertinent provisions of the Administrative Code.

This material consists of a steel panel of 24 gauge galvanized steel and so rolled that no cut edges are

exposed and is either perforated or unperforated. These perforations consist of holes $\frac{3}{32}$ inch in diameter spaced approximately $\frac{3}{8}$ inch apart in diagonal pattern. The edges are so rolled as to form interlocking panels having a joint of the removable slip type. Each panel is arranged to receive a pad made of compressed Rock Wool fibres compressed to the required shape and covered with a flameproofed Kraft paper. The flameproof ingredient used on the paper is ammonia salts as supplied by the Central Paper Company, Muskegon, Michigan. These pads fit on flanges which have stopping edges on them which prevent the pads from laying over the holes of the perforated panels, with a clearance distance of from $\frac{1}{2}$ inch to 1 inch which permits the surface to be painted periodically without affecting its acoustical properties. Adjustments in sound absorption are obtained by adding additional pads as may be required to obtain the proper value.

Sixteen gauge galvanized channels are used to suspend the supporting runners from the ceiling. These channels are secured to the ceiling by means of expansion shells or inserts and are attached to the runners with galvanized bolts. Where applied under wood construction the runners are secured by screws. The panels are interlocked with the runners and form the face of the ceiling. A steel moulding is used at all vertical intersections and is a type arranged so that the Border Panel slips into such moulding with a clamping effect. The full size panels are then inserted into the Lock Panel by means of a Lock Flange. The panel is secured to this Lock Flange by means of two bosses at each end.

These Acousteel Panels are made in sizes 12 inches wide, 2 feet to 8 feet in length and cut in factory to meet field conditions so that when the material is delivered to the job no field work other than cutting the Border Panels to the required depth is necessary.

Acoustical Properties

Tests on Acousteel were made at the laboratories of the Acoustical Materials Association at Geneva, Illinois, Test No. 39-41. The test consisted of perforated panels arranged so as to cover an area of 64 sq. ft. These panels were filled with pads $1\frac{1}{4}$ inch in thickness and weighing .92 lbs. per sq. ft. The runner system consisted of furring $2\frac{1}{2}$ inches in depth and with the metal facing of $1\frac{5}{8}$ inch makes a total depth of ceiling of $2\frac{1}{2}$ inches. The surface was then painted with an oil base paint, a single coat being applied. The material was then placed in a reverberation chamber to determine the sound absorption values over various frequencies with results as follows:

Cycles	Sound Absorption Coefficients
128	.26
256	.65
512	.99
1024	.99
2048	.81
4096	.50

The average noise reduction factor for cycles from 256 to 2048 is .85. Where required, this can be increased or decreased by varying the thickness of the pads. Acousteel is classified as Type 4 acoustical material and rated BB under Federal Specification SS-A-118.

RECOMMENDATIONS

On the basis of the foregoing data wherein the foregoing materials can be manufactured to provide sound absorption values to meet the requirements of Federal Specifications SS-A-118 for a Class BB acoustical material, it is recommended that Acousteel with the suspension system as described herein be approved as an acoustical material under C26-178.0.b

MINUTES

(2.1.2.5); that only flameproofed paper of a type meeting the requirements of C26-88.0 (1.80) be used; that the use of this material may be permitted in all classes of buildings as an incombustible material; that the material shall be installed as provided herein with such additional precautions to be observed as the manufacturer may recommend.

It is further recommended that each carton of Acousteel material, including the pads, shall be labeled, marked or stamped reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Calendar No. 257-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Acousteel (sound-proofing) *on condition* that the material be manufactured, used, and labelled, stamped or tagged in accordance with above report.

283-40-SM.

APPLICANT—Scovill Manufacturing Company, owner.
SUBJECT—Scovill Vacuum Breaker Ballcock, No. 24-VB,
approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(283-40-SM)

WHEREAS, the Scovill Manufacturing Company, owner, filed March 15, 1940, an application with the Board of Standards and Appeals for the approval of the material known as the Scovill Vacuum Breaker Ballcock, No. 24-VB; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

May 13, 1940.

Cal. No. 283-40-SM.

Subject: Approval of Scovill Vacuum Breaker Ballcock No. 24-VB.

The Scovill Manufacturing Company of Sturgis, Michigan, filed March 15, 1940, an application with the Board of Standards and Appeals for approval of the Scovill Vacuum Breaker Ballcock No. 24-VB, under the provisions of C26-1277 (14.8.2.8) Adm. Building Code.

This ballcock was tested at the test bench of the Dept. of Water Supply, Gas and Electricity at 32 Vandewater Street, on April 12, 1940, in the presence of L. S. Rothwell, representing the manufacturer and the representative of the Board of Standards and Appeals and the Department of Water Supply, Gas and Electricity.

The unit which is a vacuum breaker ballcock with a quick disassembling feature, employs the principal of a cone shaped metal disc raised under internal hydrostatic pressure, effectually closing an airport, which is further provided with a metal cowl to deflect any possible escapement

of water downward into the flush tank. The unit successfully withstood a vacuum of 28 inches of mercury without drawing any simulated contaminated water from the flush tank into the riser. It also successfully withstood a vacuum the equivalent of 26 inches of mercury for a period of five minutes duration.

As a result of these tests, it is recommended that the Scovill Vacuum Breaker Ballcock No. 24-VB, be approved for use in New York City on condition that the device bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 283-40-SM", or in lieu thereof a die or stamp reading within a circle around the periphery thereof at the top of the word "APP'V'D" along the bottom "B. S.A." in the cented two lines, upper line "N.Y.C." lower line, "283-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Scovill Vacuum Breaker Ballcock, No. 24-VB, *on condition* that the material be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

366-40-SM.

APPLICANT—The S. S. White Dental Manufacturing Company, owner.

SUBJECT—S. S. White Non-Siphoning Cuspidor No. 7,
approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(366-40-SM)

WHEREAS, the S. S. White Dental Manufacturing Company, owner, filed April 8, 1940, an application with the Board of Standards and Appeals for approval of the material known as the S. S. White Non-Siphoning Cuspidor, No. 7; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

May 13, 1940.

Re: Cal. No. 366-40-SM.

Subject: Approval of the S. S. White Non-Siphoning Cuspidor No. 7.

The S. S. White Dental Manufacturing Company, 500 Fifth Avenue, New York City, owner, filed April 8, 1940, an application with the Board of Standards and Appeals for approval of the S. S. White Non-Siphoning Cuspidor No. 7, under the provision of C26-1221.0 (14.8.2.8) Adm. Bldg. Code and with Submerged Inlet Rules of Board of Standards and Appeals.

The unit was tested in the presence of the representatives of the manufacturers, of the Board of Standards and Appeals, and of the Department of Water Supply, Gas and Electricity at the testing bench of the department, at 32 Vandewater Street.

MINUTES

The unit is a dental cuspidor equipped for glass fill, aspirator and cuspidor. The submerged inlet of the cuspidor is protected against back siphonage by employing an open gap in the supply tubing to the cuspidor, the velocity of the water being maintained by employing a nozzle effect to convey the water past the open gap. The aspirator water supply is protected against back siphonage by the utilization of a riser valve closing an airport orifice under internal hydrostatic pressure, the airport valve being a stainless steel piston equipped with a semi-soft rubber disc which seats against a bakelite ring in the airport orifice.

Both anti-sphon features of the vent were subjected to vacuum tests the equivalent of 28 inches of mercury without permitting the siphoning of any simulated contaminated water, and also successfully withstanding a duration vacuum the equivalent of 26 inches of mercury for a period of five minutes.

As a result of this test it is recommended that the S. S. White Non-Siphoning Cuspidor No. 7 be approved for use in New York City on condition that the unit bear a label reading:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 366-40-SM," or in lieu there of a die or stamp reading within a circle around the periphery at the top the word "Approved" along the bottom "B. S. & A." in the center two lines, upper line reading, "N.Y.C." lower line reading, "366-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the S. S. White Non-Siphoning Cuspidor No. 7, *on condition* that the material be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

Adjourned, 6:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, MAY 17, 1940.

Present: Chairman Murdock and Commissioners Savage and Blum.

RULES.

1-38-SR.

SUBJECT—Proposed Amendments to Rules for Fusion Welding and Gas Cutting.

APPEARANCES—

Edward Von Steeg, Jr., LaMotte Grover, L. M. Dalcher, Philip M. Mattern, E. E. Countz, H. C. Stelling and J. D. McNamara.

ACTION OF BOARD—Rules reopened and amended. See pages 737 and 738 of this Bulletin.

THE VOTE TO REOPEN AND AMEND RULES—

Affirmative: Chairman Murdock and Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy	1

Adjourned, 10:40 A.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on March 26, 1940, as they appeared in Bulletin No. 14, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION— (553-29-BZ)

WHEREAS, this application to permit in a residence use district the erection and maintenance of a public garage and gasoline service station and lubritorium; premises 1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southwest corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn, was granted by the Board January 28, 1930, on certain conditions; and

WHEREAS, Lama and Proskauer, for Lefland Realty Company, Inc., owner, requested a reopennig of the application to permit the extension of the public garage, gasoline service station and lubritorium; and

WHEREAS, this application was reopened by vote of the Board November 28, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden bollevard is in a residence and business use district; Ditmars avenue is in an unrestricted use district; Rockaway avenue and Chester street are in residence, business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings on Alt. Applic. No. 4632-1939, dated October 26, 1939, reads:

"Proposed extension of a public garage, gas station and lubritorium in a residential use district is contrary to Art. II, Sec. 3 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Linden boulevard, 100 ft. on Rockaway avenue and 100 ft. on Chester street. On a portion of the plot there is located a garage for more than five (5) motor vehicles and also a gasoline station previously granted by the Board on certain conditions; it is proposed to relocate the lubritorium and to install additional tanks and pumps and to occupy the entire premises as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 17, 1932, as amended June 2, 1932 and July 9, 1935, so that as amended, it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the layout proposed shall be as indicated on the plan filed in this case; that the southerly and westerly gable walls shall be unpierced throughout their entire height and length; that any walls exposed to view from the highways shall be finished in light-colored face brick; that there shall be built along the building line of Linden boulevard and Rockaway avenue a concrete curbing not less than 12 in. in height with not more than two 14 ft. vehicular openings on Linden boulevard and not more than two 12 ft. vehicular openings on the Rockaway avenue front; that there shall be erected at the corner formed by intersection of Linden boulevard and Rockaway avenue a concrete platform not less than 10 ft. in either direction, which shall be maintained unoccupied, other than for one electric light stanchion; that no gasoline pump

MINUTES

shall be erected within 10 ft. of building line; that any use incidental to the conduct of the business on the premises shall be housed in approved masonry construction with arch openings from the interior of the property; that any advertising displayed shall be restricted to fixed wall signs within the property line and the glass globes of the gasoline pumps and to one post standard erected within the building line near the corner formed by the intersection of Linden boulevard and Rockaway avenue to carry an illuminated sign which may extend not over 8 ft. beyond the building line and advertising only the brand of gasoline on sale.

Resolved further, that in the event the owner desires to extend the gas station so as to include the balance of the block front so that the total length of the gas station along Linden boulevard will be 200 ft. and the total depth 100 ft., such extension may be permitted, *on condition* that the present station shall be reconstructed and extended substantially as indicated on revised plans marked 'Received March 21, 1939'; that the extended building shall not exceed one story in height and shall be constructed of incombustible materials; except that the roof beams and boarding may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no windows or other openings to the interior lot line to the south; that along the street line of Chester street there shall be a brick wall, constructed without openings, not less than 6 ft. in height, for a distance of not less than 50 ft. from the rear lot line; that the planting shall be maintained as indicated on revised plans, and the areas so planted shall be protected with concrete curbing not less than 6 in. in height; that the entire premises where not occupied by accessory buildings and garage shall be cement paved; that curb cuts shall not exceed one 25 ft. in width to Rockaway avenue, four not over 25 ft. in width each to Linden boulevard and one 25 ft. in width to Chester street; that the sidewalks surrounding the property shall be cement paved, and all curbs, except where curb cuts are permitted, shall be constructed or restored; that all pumps shall be of the parkway type and no pump shall be erected nearer to any building line than 15 ft.; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof signs and all temporary signs, but permitting the erection within the building line at the intersections of Chester street and Linden boulevard and Rockaway avenue and Linden boulevard of post standards, supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that in addition to the five gasoline tanks, two additional 550 gallon gasoline tanks may be installed and one 550 gallon tank for refuse oil; that the extended accessory building shall be used as proposed for lubricating and laundry; that only hydraulic lift greasing equipment shall be installed; that there shall be no open excavation under the accessory building; that the existing lubritorium building shall not be demolished until the new one is constructed; that all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

* Correction—The date "March 12, 1939" changed to "March 21, 1939" in line 82 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on October 17, 1939, as they appeared in Bulletin No. 43, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(129-34-A)

WHEREAS, Frigidaire Corporation, for Hollywood Res-

taurant, owner, filed May 15, 1934, an appeal from an order of the fire commissioner affecting premises 1600 Broadway, northeast corner of West 48th street (Block No. 1020, Lot No. 29), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 26, 1934, re Order No. 3272-LC, reads:

"You are hereby ordered and required to forthwith:

"1. Discontinue and remove the direct method of air conditioning in the main lobby and stairway, as per section 219 (f)-1, of the code of ordinances.

"2. Discontinue and remove all piping containing F-12 refrigerant between the basement and the second floor as per section 219(b) of the code of ordinances."

and

WHEREAS, the building is fireproof, 10 stories in height, 113 ft. 8¾ in. by 121 ft. ½ in. in area; OCCUPIED: cellar, boiler and locker rooms, 4 persons; 1st story, stores, bank, 12 persons; 2nd story, kitchen, restaurant, 600 persons; upper stories, offices and showrooms, 20 persons per story; located within a retail district; and

WHEREAS, the appellant claims there are two cooling systems having a common refrigerating machinery room in the cellar, containing one 3 H.P. compressor, 15 lbs. of F-12 refrigerant, with brass piping leading to coil in evaporating compartment on 1st story over revolving door-entrance to Hollywood Restaurant, a 1/6 H.P. motor circulates the cooled air into the hall; also a battery of seven 10 H.P. compressors, each having 45 lbs. of F-12 refrigerant with copper tubing leading to three coils, all (21) coils are enclosed in a metal evaporating compartment suspended from the kitchen ceiling on 2nd story, a 15 H.P. motor circulates the cooled air into the restaurant room through openings in the ceiling; the rising lines of refrigerant (120 lbs. working pressure, 150 lbs. automatic stop and 180 lbs. safety valve) extending to 2nd story are wrapped with insulating material within a metal enclosure; the appellant contends the present air conditioning installation is non-hazardous, the refrigerant is non-irritant, and the order is therefore technical; however, the appellant proposes to provide an additional enclosure around the rising lines of refrigerant by gypsum block construction; and

WHEREAS, this appeal was granted by the board June 19, 1934, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 19, 1934, so that as amended it shall read:

"*Resolved*, that the order of the fire commissioner, No. 3272-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the expansion coils shall be completely removed from the entrance hall; that the entrance hall shall be refrigerated by an indirect system only; that all refrigerating risers passing through the entrance hall shall be enclosed in hermetically sealed ducts and ventilated through the basement refrigerating system to the outer air; that other than as modified herein, the system shall comply in all respects with the requirements of the code of ordinances.

"*Resolved further*, that in the event the second story is occupied as a lecture hall with a capacity of not over 450 persons in place of a restaurant having a capacity of 600 persons, as permitted under Certificate of Occupancy No. 7195, the modification in this resolution may still be deemed to apply, provided the certificate of occupancy issued by the borough superintendent is amended to permit the lecture hall occupancy.

"*Resolved further*, that nothing contained in this resolution as amended, shall be deemed to affect present usages of the building above the second story as permitted under permits legally issued or renewals thereof or resolutions of this Board heretofore adopted."

* Correction—as contained in the last paragraph of the resolution.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on April 2, 1940, as they appeared in Bulletin No. 15, Vol. 25, are hereby corrected to read as follows:

191-40-A.

APPLICANT—David Granditer, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathan Frankel and David Granditer.

ACTION OF BOARD—Appeal reopened, restored to Calendar and granted on condition.

THE VOTE TO REOPEN, RESTORE TO CALENDAR AND GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(191-40-A)

WHEREAS, David Granditer, owner, filed February 20, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 148 West 97th street, south side, 350 ft. east of Amsterdam avenue (Block No. 1851, Lot No. 50), Borough of Manhattan; and

WHEREAS, this appeal was previously withdrawn and applicant requests restoration to the Calendar and reconsideration of the appeal; and

WHEREAS, the decision of the acting borough superintendent, dated February 15, 1940, on an application for Certificate of Occupancy reads:

"In relation to application for Certificate of Occupancy you are advised that same is disapproved because of the following objections which must be removed before same is issued:

5. Ceiling of entrance hall is not fire retarded;
6. Soffit and strings of stairway leading to 2nd story have not been fire retarded;
8. Cellar and basement used for handling and storage of lumber (Note lumber is in excess of 1000 bd feet stored)."

and

WHEREAS, the building is three stories in height, 16½ ft. 2 in. by 100 ft. 11 in. in area at first floor, 15½ ft. by 50 ft. in area at typical floor; of Class 3 construction; equipped with a sprinkler system; erected about 1900; located in a residence use B area district and occupied since 1925 as follows: basement, lumber storage, no persons; first floor, one family, 4 persons; second floor, 3 furnished rooms, 3 persons; third floor, 5 furnished rooms, 5 persons; and

WHEREAS, violation No. 2596-37 was issued September 25, 1939, for occupying the premises contrary to certificate of occupancy as a furnished room house, 11 rooms on first, second and third stories and storage of lumber in basement; and

WHEREAS, the building is characterized by the Department of Housing and Buildings as a hereafter converted Class B multiple dwelling; and

WHEREAS, the applicant contends that although Certificate of Occupancy No. 15971 (issued December 30, 1929) was for a one-family dwelling and storage, the building is a heretofore converted Class B multiple dwelling and has been occupied as at present since 1925; that no law requires the performance of the items of the borough superintendent's decision, which are the subject of this appeal; that the provisions of the Multiple Dwelling Law regarding fire-retarding of the entrance hall ceiling, stringers and stairways do not apply to a three-story multiple dwelling; that the objection of the Department of Housing and Buildings, that lumber in excess of 1000 board feet is stored finds no support in any law, rule or regulation; and

WHEREAS, the premises were inspected by a committee of the Board and conditions found generally to be as stated by the applicant; and

WHEREAS, in the opinion of the Board, correct interpretation of the Multiple Dwelling Law permits the proposed occupancy if certain requirements thereof are complied with.

Resolved, that the decision of the acting borough superintendent, as to Alt. Applic. No. 3670-37, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to objection No. 8 *on condition* that the basement shall be protected throughout in accordance with the requirements of the fire commissioner, under section 58 of the Multiple Dwelling Law, as set forth in his letter of March 5, 1940, to the applicant, requiring the following to be done:

1. Properly fire-retard the basement ceiling throughout.
2. Repair the fire retarding around stairway in basement.
3. Maintain lumber at least 18 inches below ceiling or sprinkler lines.
4. Maintain all necessary water buckets.
5. Maintain all stock at least 36 inches from all window openings and 36 inch passageway from front to rear wall.
6. Provide at least one line of sprinkler heads from front to rear wall connected to existing sprinkler system.

and as to objection Nos. 5 and 6 *granted on condition* that the building and occupancy shall comply in all other respects with the requirements of the Multiple Dwelling Law applicable to a building hereafter converted, not more than three stories and basement in height, and that a certificate of occupancy shall be obtained for the occupancy of the building as proposed, as a Class B multiple dwelling with the storage of lumber as permitted by the fire commissioner in the basement; that any construction not in compliance with the plans as filed with the Department of Housing and Buildings under Alt. Applic. No. 903-29 shall be removed.

* Correction—Action and vote of the Board corrected as shown in digest.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1940 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts,

are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

RULES

AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 17, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, JUNE 10, 1940.

(Cal. No. 1-38-SR)

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the Borough Superintendent. The Borough Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Borough Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

- 3.12 COMPLETION OF WORK. Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Borough Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Borough Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.
- 4.2.3 The Borough Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.
- 4.2.4 Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year.
- 4.2.5 Certificates for gas welding and certificates for electric welding, including provisions for welding performed by each welder for the current year, shall be on forms as approved by the Board of Standards and Appeals.

Rule 5. Qualification Test for Welders.

- 5.1 These qualification tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Borough Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City shall be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and two in the overhead welding position.
- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same general type of electrodes or welding rods as are to be used in the work for which the operator is being tested.

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the Borough Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the Borough Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Borough Superintendent.

- 9.1.1 The Borough Superintendent may, in the case of minor welding operations, including stairs

RULES

and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 The welder shall be protected by adequate covering against high winds, rain, snow or sleet.

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or label, affixed by the standard Testing Agency, to the effect that these Rules have been complied with.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises
Name of concern.....
Building No.....Story.....

FOREMAN OR PERSON IN CHARGE

Regular Substitute

WATCHMAN

.....
.....

MALE SEARCHER

.....

FEMALE SEARCHER

.....

STREET ALARM BOX RUNNER

.....

FIRE BRIGADE

.....
.....
.....

EXIT GUARDS

..... Exit
..... "
..... "
..... "
..... "
..... "

SQUAD MONITORS

..... Squad No. 1.....
..... " " 2.....
..... " " 3.....
..... " " 4.....
..... " " 5.....
..... " " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

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Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire

alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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tions for Gasoline Tank
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ough of Queens,
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CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On May 28, 1940, William I. Musso, attorney, served on Board petition and order of certiorari, on behalf of Teresa Le Monde, objector, in re decision of Board of March 26, 1940, granting additional business use in conjunction with existing iron foundry on adjacent lot, under sections 7-c and 21, Cal. No. 1396-39-BZ, at premises 253 Devoe Street, Borough of Brooklyn.

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Fireline Hose Valves.....Mar.	5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use.....Aug.	29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals.....Mar.	5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use.....Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps.....Mar.	26, 1940—Vol. 25, No. 13
Gas Heaters.....Aug.	29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment.....Nov.	14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters.....Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers.....May	28, 1940—Vol. 25, No. 22

MAY 28, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, May 28, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 132-40-BZ—Application, February 2, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Nat Krefetz, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 28-40-BZ—Application, January 9, 1940, under sections 7a and 21 of the building zone resolution, of Conroy and Hardy, applicants, on behalf of 42 South 11th Avenue Realty Company, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15-18), Whitestone, Borough of Queens.

CAL. NO. 211-40-BZ—Application, February 27, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Raymond P. McNulty, applicant, on behalf of Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee), to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

CAL. NO. 171-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 172-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on be-

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half of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 173-40-BZ—Application, February 13, 1940, under section 7h of the building zone resolution, of John T. Briggs, applicant, on behalf of Safe Collateral Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 10 and part of Lot Nos. 1 and 12), and 12), Borough of Manhattan.

CAL. NO. 164-40-BZ—Application, February 10, 1940, under section 7h of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Central Savings Bank in the City of New York, owner (George Somnig, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

CAL. NO. 256-40-BZ—Application, March 7, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

CAL. NO. 265-28-BZ—Application of Otilia Realty Corporation, applicant and owner, reopened February 6, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of **The Bronx**.

CAL. NO. 152-40-BZ—Application, February 8, 1940, under section 21 of the building zone resolution, of Arnold J. Marshall, applicant and lessee, on behalf of John Bodine

Estates, Incorporated, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner of Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

CAL. NO. 218-40-BZ—Application, February 29, 1940, under sections 7c and 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit the extension, from a business use district into a residence use district, of an existing central telephone exchange; premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MAY 28, 1940, 2 P. M.

Appeals from Administrative Decisions.

373-40-A—150-156 Lafayette street, west side, 119 ft. north of Howard street (Block No. 233, Lot No. 19), Borough of Manhattan.

176-40-A—14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens.

147-40-A—1-5 Bond street, southwest corner of Shinbone Alley (Block No. 529, Lot No. 10), Borough of Manhattan.

454-40-A—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

468-40-A—42-25 Vernon boulevard, northeast corner of 43rd avenue (Block No. 462, part of Lot No. 1), Long Island City, Borough of Queens.

499-40-A—559 Water street, south side, 72 ft. west of Clinton street (Block No. 246, Lot No. 17), Borough of Manhattan.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

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538-40-A—24 New Bowery and 24 Chestnut street, east side, 23 ft. 3 in. south of Madison street (Block No. 115, Lot No. 15), Borough of Manhattan.

546-40-A—64-68 Rochester avenue and 1864 Atlantic avenue, southwest corner (Block No. 1337, Lot No. 39), Borough of Brooklyn.

1086-39-A—101 West 80th street and 418-422 Columbus avenue, west side, 51 ft. 2 in. west of West 80th street (Block No. 1211, Lot No. 29), Borough of Manhattan.

280-40-A—111-117 47th street, north side, 74 ft. 4 in. east of First avenue (Block No. 735, Lot No. 1), Borough of Brooklyn.

437-40-A—3903-3905 Second avenue, east side, 25 ft. 2 in. north of 39th street (Block No. 707, Lot No. 7), Borough of Brooklyn.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

517-40-A—13-19 White street, southwest corner of Sixth avenue (Block No. 178, Lot No. 25), Borough of Manhattan.

505-40-A—910-916 Seventh avenue and 200 West 58th street, southwest corner (Block No. 1029, Lot No. 36), Borough of Manhattan.

511-40-A—143-147 Columbus avenue and 71 West 66th street, northeast corner (Block No. 1119, Lot No. 1), Borough of Manhattan.

444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

445-40-A—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.

498-40-A—69 Moore street, north side, 100 ft. west of Graham avenue (Block No. 3096, Lot No. 27), Borough of Brooklyn.

534-40-A—58-55 186th street, east side, 520 ft. south of 58th avenue (Block No. 5690, Lot No. 38), Flushing, Borough of Queens.

535-40-A—58-49 186th street, east side, 480 ft. south of 58th avenue (Block No. 5690, Lot No. 40), Flushing, Borough of Queens.

536-40-A—58-03 185th street, southeast corner of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

533-40-A—58-04 185th street, southwest corner of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

548-40-A—146-16 New York boulevard, west side, 295 ft. north of 146th drive (Block No. 4513, Lot No. 70), Springfield, Borough of Queens.

Variation of the Labor Law.

463-40-S—312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn.

JUNE 4, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 4, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 344-40-BZ—Application, April 4, 1940, under section 21 of the building zone resolution, of Maurice Courland, applicant, on behalf of Jewish Center, Incorporated, owner, to permit in a residence use district and, also, "B" area district, the erection of an extension to an existing building; the proposed extension does not comply with "B" area yard requirements; premises 131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan.

CAL. NO. 347-40-BZ—Application, April 5, 1940, under sections 7g and 21 of the building zone resolution, of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 82-40-BZ—Application, January 22, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of 501 Avenue R Corporation, owner, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58 East 18th street, west side, 161 ft. 9½ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn.

CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of C. J. Johnson, applicant, on behalf of Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee).

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to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

JUNE 4, 1940, 2 P. M.

Appeals from Administrative Decisions.

526-40-A—6302 59th avenue (Hemlock street), southeast corner of 63rd (Hedwig) street (Block No. 2755, Lot No. 22), Maspeth, Borough of Queens.

457-40-A—512-A Nostrand avenue, west side, from Macon street to Halsey street, 29 Macon street and 86 Halsey street (Block No. 1843, Lot No. 20), Borough of Brooklyn.

497-40-A—349-355 Suydam street, north side, 225 ft. east of Irving avenue (Block No. 3210, Lot Nos. 51 to 54, inclusive), Borough of Brooklyn.

553-40-A—Re Transportation of Gasoline in Tank Truck (construction of tank not in accordance with Fire Department Specifications covering Gasoline Tank Truck) in New York City.

566-40-A—218-220 East 93rd street, south side, 135 ft. west of Second avenue (Block No. B-1538, Lot No. 12), Borough of Manhattan.

543-40-A—32-34 Westchester square, west side, 185 ft. 6-3/16 in. south of Frisby avenue (Block No. 3984, part of Lot No. 16), Borough of The Bronx.

557-40-A—102-09 to 102-11 Northern boulevard, north side, 80 ft. east of 102nd street (Block No. 279, Lot No. 39), Corona, Borough of Queens.

60-40-A—31-05 Ditmars boulevard, northwest corner of Second avenue (Block No. 846, Lot No. 67), Long Island City, Borough of Queens.

563-40-A—31-35 West 15th street, north side, 425 ft. west of Fifth avenue (Block No. 817, Lot No. 21), Borough of Manhattan.

567-40-A—265 Greene street and 36-42 East 8th street, southwest corner (Block No. 548, Lot Nos. 12 to 15, inclusive), Borough of Manhattan.

582-40-A—312-314 Bowery, west side, 40 ft. 4 in. south of Bleeker street (Block No. 521, Lot No. 75), Borough of Manhattan.

552-40-A—1759 69th street, north side, 254 ft. 10 in. west of 18th avenue (Block No. 5576, Lot No. 63), Borough of Brooklyn.

579-40-A—Blocks bounded by north side of Bergen avenue, east side of Rochester avenue, south side of Pacific street, west side of Ralph avenue and east side of Ralph avenue, 190 ft. east, between Pacific and Dean streets (Block No. 1344, Lot Nos. 1 to 89, inclusive, Block No. 1350, Lot Nos. 1 to 54, inclusive, Block No. 1345, Lot Nos. 1-12 and 44-80, Block No. 1351, Lot Nos. 1-77, and

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 312-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elizabeth Linden Kiley, owner (Dora Glicker, lessee), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68 to 71, inclusive, and Lot No. 30), Borough of The Bronx.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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Block No. 1438, part of Lot No. 1), Borough of Brooklyn.

541-40-A—450 Westchester avenue, south side, 125.36 ft. west of Brook avenue (Block No. 2294, Lot No. 49), Borough of The Bronx.

571-40-A—32-06 to 32-26 Bell boulevard, southwest corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens.

572-40-A—32-03 to 32-11 213th street, southeast corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens.

Variation of the Labor Law.

542-40-S—37-43 West 65th street, north side, 100 ft. east of Columbus avenue (Block No. 1118, Lot No. 5), Borough of Manhattan.

JUNE 11, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 11, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 179-40-BZ—Application, February 15, 1940, under sections 7a, 7b and 7c of the building zone resolution, of Slee and Bryson, applicants, on behalf of William R. Crowley, owner, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business use throughout; premises 92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn.

CAL. NO. 438-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Fannie Wolf, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

CAL. NO. 300-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Herman M. Cohn, applicant, on behalf of S. & B. Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station and, also, the parking of more than five (5) motor vehicles; premises 1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of Warden H. Fenton, applicant, Director, Bureau of Architecture, Department of Public Works, on behalf of City of New York, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a building (Fire House) not complying with "E" area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

CAL. NO. 252-40-BZ—Application, March 6, 1940, under section 21 of the building zone resolution, of William O. Staber, applicant, on behalf of Home Owners' Loan Corporation, owner, to permit in a residence use district and, also, "E" area district, the maintenance of a garage, accessory to the dwelling on the same lot, said garage not conforming with "E" area requirements as to the ten (10) foot setback from the street line; premises 25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens.

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

HARRISH H. MURDOCK, *Chairman*

JUNE 11, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

CALENDAR

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

240-40-A—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

174-40-A—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Block No. 611, part of Lot No. 1), Borough of Brooklyn.

495-40-A-WF—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

JUNE 18, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 18, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.

CAL. NO. 488-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of The Centrun Corporation, owner, to permit in a business use district and two and one-half times height district the extension in height of an existing office building, the said extension in height not conforming with the height restrictions of the building zone resolution; premises 62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan.

CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution,

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of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 18, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

JUNE 25, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 25, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, applicant, on behalf of Garbo Garage Corporation, owner, reopened April 16, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

CAL. NO. 272-26-BZ—Application of Lama and Proskauer, applicants, on behalf of Maned Realty Company, Incorporated, owner (Harry Roisman, lessee), reopened April 30, 1940, for rehearing on a new proposal, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied—re erection of a gasoline service station); premises 555-563 Atlantic avenue, north side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn.

CAL. NO. 368-40-BZ—Application, April 8, 1940, under sections 7c and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Plaza-Circle Corporation, owner (Edward Nolan d/b/ as Plaza View Garage, lessee), to permit, partly in a residence use district and partly in a business use district, the alteration and conversion of occupancy of part of an existing building from garage for more than five (5) motor vehicles to store use, and from carriage house and stable for more than five (5) horses to garage for more than five (5) motor vehicles; premises 2-14 Plaza street and 405-413 Flatbush avenue, northeast corner (Block No. 1169, Lot No. 1), Borough of Brooklyn.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

CAL. NO. 349-40-BZ—Application, April 5, 1940, under sections 7h and 21 of the building zone resolution, of Jacob J. Schwebel, applicant, on behalf of New York, New Haven and Hartford Railroad Company, owner (Cousins Realty Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx.

CAL. NO. 327-40-BZ—Application, April 1, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Oxford Development Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10, and part of Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 336-40-BZ—Application, April 3, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants,

CALENDAR

on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 25, 1940, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 25, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 235-37-BZ—Application of 3331 Fish Avenue Corporation, applicant and owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

CAL. NO. 289-34-BZ—Application of Wrenn and Schmid, applicants, on behalf of Edith J. Potter, owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7a of the building zone resolution, permitting in a residence use district the extension in area of an existing garage and automobile repair shop for a temporary period; premises 308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law, re building fronting on a proposed private street).

333-40-A—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (under Section 35, General City Law—re Bed of Mapped Street).

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MAY 21, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, April 23, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, April 23, 1940, were approved as printed in Bulletin No. 18, Vol. 25.

BUILDING ZONE CASES.

1008-39-BZ.

APPLICANT—Herman Kron, for Rosebeck Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store).

PREMISES AFFECTED—1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron and Sol A. Herzog.
For Opposition: Isidor G. Popely, A. L. Garber and Morris D. Dubrin.

ACTION OF BOARD—Laid over to June 11, 1940, at 10 A.M., for further consideration by the Board.

1437-39-BZ.

APPLICANT—Charles Lee Koester, for Galonite, Inc., owner (Harry Cook, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Heller.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Laid over to May 28, 1940 at 10 a. m. for further consideration by the Board. Applicant to submit revised plans in meantime.

28-40-BZ.

APPLICANT—Conroy and Hardy, for 42 South 11th Avenue Realty Company, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution to permit in a

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business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop.

PREMISES AFFECTED—14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Not. Nos. 15 and 18), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant—Reginald S. Hardy.

For Administration: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Laid over to May 28, 1940 at 10 a. m. on request of applicant.

211-40-BZ.

APPLICANT—Raymond P. McNulty, for Bohack Realty Corporation, owner (H. C. Bohack, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. E. Pohl, Henry C. Bohack, Raymond P. McNulty, H. L. Yakel and R. P. Charles.

For Opposition: Samuel Markle, B. Meredith Langstaff and Edward Handelman.

ACTION OF BOARD—Laid over to May 28, 1940 at 10 a. m. for further argument.

1266-25-BZ.

APPLICANT—Jack Z. Cohen, for Max M. Leder, owner.

SUBJECT—Application reopened June 28, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station (gasoline station previously granted by the Board).

PREMISES AFFECTED—668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant—Jack Z. Cohen and Max M. Leder.

For Opposition: Jacob Minsky and Charles Tilgner, Department of Education.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1266-25-BZ)

WHEREAS, this application to permit in a business use district the erection and maintenance of a gasoline service station; premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn, was granted by the Board January 24, 1928, on certain conditions, and the present owner, Max M. Leder, through his architect, Jack Z. Cohen, requested a reopening of the application to permit the alteration and extension of an accessory building to this station; and

WHEREAS, this application was reopened by vote of the Board June 28, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that New Lots avenue is in a business use district; Jerome street and Schenck avenue are in residence and business use districts; Repose place is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Appl. 4443-39, dated March 7, 1940, reads:

"1. Extension of existing building in connection with gas station now existing in business use district not permitted. Sec. 4a (46) Zone Resolution.

Above application is hereby denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 90 ft. on Verona street, 44 ft. 1 in. on New Lots avenue and a distance of 90 ft. 1 in. along the westerly lot line. On the south portion of the plot there is located a one-story building, 23 ft. by 48 ft. in area, occupied as an office and auto laundry in conjunction with the gasoline service station covering the remainder of the plot. Upon the west lot line there is located a masonry wall 12 ft. in height. It is proposed to decrease the height of the wall on the New Lots avenue building line and to erect upon the southerly portion of the plot a one-story structure, 24 ft. by 48 ft. 5 in. in area, to be used as lubritorium, auto laundry, store and office in conjunction with existing gasoline service station; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 24, 1928, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that a wall of approved masonry not less than 12 ft. in height shall be erected on the lot line adjoining the contiguous properties, faced with enamel or light colored brick; that any electric arc lights, spot-lights or stand-lights erected on the premises, shall be provided with reflectors at the rear to protect the adjoining abutting properties from glare.

Resolved further, that in the event the owner desires to rearrange the existing gasoline service station by constructing an additional one-story extension toward the west by rearranging the present accessory store and laundry, so as to provide a new laundry and covered lubritorium space, such rearrangement may be permitted, and the accessory store may be extended along the lot line wall to the west by approximately 35 feet, substantially as indicated on plans marked 'Received March 18, 1940', on condition that all existing open grease pits shall be entirely removed; that the premises where not covered by accessory building and pumps shall be cement paved; that the existing brick wall to the west may be reduced in height, as indicated, for a distance back from New Lots avenue of 15 feet to an average height of not less than 6 ft. but not less than 4 ft. at the building line; that the pumps shall be relocated so as to be not nearer than 15 ft. to either street building line; that there shall be erected at the intersection of Jerome street and New Lots avenue, a block of concrete triangular in shape, not less than 1 ft. in height, extending not less than 5 ft. from the intersection; that window openings on the Jerome street wall shall have metal frames and sash, with sills not less than 5 ft. in height above the sidewalk grade; that there shall be no openings in the lot line wall to the south; that there shall be no open excavation in the existing accessory building or proposed extension; that any existing cellar shall be completely filled to grade, and any heating system installed requiring a heating boiler, shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that the

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greasing equipment shall be of the hydraulic lift type or one hydraulic lift and grease pit; that in the event the grease pit is installed, a ventilating system shall be supplied from the bottom of the pit, with ducts through the roof, and having a sparkproof fan motor; that not more than five (5) gasoline storage tanks shall be installed; that signs shall be restricted to permanent signs attached to the accessory building and to the accessory store, excluding all roof signs and temporary signs, but permitting the erection within the building line, near the intersection of New Lots avenue and Jerome street, of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and which may extend beyond the building line for a distance of not more than 5 ft.; that no automobile repairing shall be carried on on the premises; that there shall be no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that the partition separating the auto laundry and the accessory store shall be constructed of approved fireproof materials, approved for a one-hour rating with fireproof self-closing door approved for one hour; that the ceiling throughout the building shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that complete working drawings shall be submitted to the chairman for approval before same are filed with the borough superintendent of buildings, and after said approval, all permits required shall be obtained and all work completed within one year thereafter.

582-38-BZ.

APPLICANT—Justine Schwab, owner.

SUBJECT—Application reopened April 23, 1940, for consideration as to extension of time to complete work and amendment of resolution—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39, and part of Lot No. 41), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Hans.

ACTION OF BOARD—Resolution amended and time extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(582-38-BZ)

WHEREAS, this application to permit in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rock Hill road), northwest corner Sabre street (Block No. 7967, Lot No. 39, and part of Lot No. 41), Queens Village, Borough of Queens, was granted by the Board October 18, 1938, on certain conditions; and

WHEREAS, the time to obtain permits and complete the work was extended by vote of the Board April 18, 1939; resolution amended October 17, 1939; and

WHEREAS, the applicant requests a further amendment of the resolution and additional time to obtain permits and complete the work; and

WHEREAS, this application was reopened by vote of the Board April 23, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meet-

ing, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on October 18, 1938, as amended by resolution adopted by the Board on October 17, 1939, by adding thereto:

"that in the event the owner desires to remove the 2-story frame building and arrange the premises substantially as indicated on revised plans marked 'Received April 22, 1940', showing a total plot of 80 ft. in length along Braddock avenue and a depth of approximately 49 ft., such arrangement may be substituted, provided complete working drawings are submitted for approval; that the accessory building, if located on the lot line, shall have no openings to the north and west to adjoining premises, or if located off the lot line, shall be not nearer than 4 ft. therefrom and the masonry wall shall be continuous on the interior lot lines of the plot; that the masonry wall shall not be less than 7 ft. in height, but may be reduced to a height of 4 ft. within 10 ft. of either street building line; that not more than four (4) gasoline storage tanks shall be installed; that no pumps shall be located nearer than 15 ft. to either building line and the curb cuts shall not exceed two to Braddock avenue, each 25 ft. in width and one to Sabre street of similar width; that planting shall be maintained as indicated with protective curbing; that in all other respects the requirements of the resolutions previously adopted shall be complied with; that plans shall be submitted for approval by the chairman in behalf of the Board within one month and all permits required shall be obtained and all work completed within one year after the approval of such plans.

387-39-BZ.

APPLICANT—Theodore R. Feinberg, for 126-08 Northern Boulevard Corporation, owner.

SUBJECT—Application reopened July 18, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage for more than five (5) motor vehicles (previously denied by the Board).

PREMISES AFFECTED—126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg, Reginald S. Hardy and Clinton T. Roe.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(387-39-BZ)

WHEREAS, this application under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing garage; premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner (Block No. 1820, Lot No. 1), Corona, Borough of Queens, was denied by the Board July 11, 1939; and

WHEREAS, the applicant requested a reopening of the case and such case was reopened by vote of the Board, July 18, 1939; and

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WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard, 126th street, 34th avenue and 126th place are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings on Alt. Appl. 592-1939, dated March 4, 1940, reads:

"The erection of a gasoline selling station within a business district is contrary to art. 2, sec. 4, sub. 46 of the building zone resolution.

The parking of more than 5 motor vehicles in a business district is contrary to art. 2, sec. 4, sub. 15 of the building zone resolution.

The use of premises for a parking lot within the World's Fair Area is contrary to sec. 6 of the World's Fair resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 105.4 ft. on Northern boulevard, 230.7 ft. on 126th street and 40 ft. on 34th avenue. Upon the north portion of the plot is located a one-story garage for more than 5 motor vehicles; having a frontage of 105.4 ft. on Northern boulevard, 130.8 ft. and 126th street and a distance of 100 ft. along the south lot line. It is proposed to remove and relocate part of the street walls of the existing garage as shown on filed plans, and to use the resulting space as a gasoline service station which will have a frontage of 105.4 ft. on Northern boulevard and 26 ft., 2 in. on 126th street; and

WHEREAS, these premises and the surrounding area have been inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under sec. 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on Alt. Applic. 592-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1012-39-BZ.

APPLICANT—Lama and Proskauer, for Abraham J. Stern, owner (Pilgrim Gas Station, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the extension in area and the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—4902-4910 Kings highway, northeast corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Nathan Gelfer.
For Opposition: Bernard J. Austin.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1012-39-BZ)

WHEREAS, Lama and Proskauer (Pilgrim Gas Stations, lessee) for Abraham J. Stern, owner, filed July 28, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a residence use district the extension in area and the reconstruction of an existing gasoline service station; premises 4902-4910 Kings highway, north-

east corner of East 49th street (Block No. 7733, Lot Nos. 7 and 8), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway and Avenue H are in residence and business use districts; East 49th street is in a residence, business and unrestricted use district; Utica avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings on N. B. Application No. 1710-1939, dated July 10, 1939 and as amended November 16, 1939, reads:

"The erection of a gasoline service station in a residential district is contrary to art. II, sec. 4A, 46 zoning resolutions and is hereby denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 36 ft. on East 49th street, 85 ft. on Kings highway and 75 ft. on Avenue H, occupied in part as a gasoline service station. It is proposed to remove the existing one-story office and grease pits; to relocate the pumps; to erect upon the easterly portion of the plot a one-story structure, 90 ft. by 24 ft. in area, to be used as a two-car garage, auto laundry, office and lubricatorium and to use the entire plot as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7c of the building zone resolution, the extension and rearrangement of the existing legal gasoline service station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the increased area and rearrangement of the legally existing gasoline service station with the general arrangement as shown on plans marked 'Received May 21, 1940' and as to architectural design of the accessory building, substantially as shown on plans marked 'Received May 18, 1940,' on condition that there shall be one island of four pumps located not nearer than 15 ft. to the building line of Kings highway and located as shown on plans marked 'Received May 21, 1940' at the northerly pump island; that all existing structures shall be entirely removed, and the plot shall be graded substantially to the grade of surrounding streets; that the proposed accessory building shall be constructed of incombustible materials, except that the roof beams and boarding, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board, and provided the roof is surfaced with natural slate over all sloping portions and with approved weather surfacing over other portions; that there shall be a wall erected from the accessory building northerly to the lot line and westerly to Kings highway as shown; that such wall shall be of masonry, not less than 3 ft. in height with a wood picket or steel fence above to a total height of not less than 6 ft.; that a similar wall shall be erected on the street building line of Avenue H from the accessory building for a distance of approx. 20 ft.; that curb cuts shall be restricted to one from Avenue H, 25 ft. in width, one from East 49th street 25 ft. in width and one to Kings highway not over 40 ft. in width; that there shall be erected at the intersection of Kings highway and East 49th street, and at the intersection of East 49th street and Avenue H, a block of concrete not less than 1 ft. in height and extending not less than 5 ft. along either building line; that planting shall be maintained as indicated toward the east, adjoining the lot line wall; that there shall be no windows opening on the easterly wall of the accessory building to the adjoining

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premises; that windows opening on the southerly wall of Avenue H shall be fireproof and self-closing; that there shall be no open excavation under the accessory building; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that greasing equipment shall be of the hydraulic type, except that if a greasing pit is installed, a ventilating system extending from the bottom of the pit through the roof with sparkproof fan motor shall be installed; that gasoline pumps shall be as approved by the Park Department for use on parkways with full masonry pedestals; that the number of tanks installed shall not exceed five (5); that signs shall be restricted to a permanent sign attached to the front of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line toward the south and toward the north of a post standard, each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that no parking shall be permitted other than those cars being serviced; that no automobile repairing shall be carried on on the premises; that no portable gasoline tanks shall be used on or from the premises; that complete working drawings shall be submitted for approval prior to their being filed with the borough superintendent; that after such approval, all permits required shall be obtained and all work completed within one year from the date of this resolution.

1100-39-BZ.

APPLICANT—William Wolff, for Bertha Geis, owner (Samuel Levine, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—North side of East 174th street, from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: William Wolff and Anton Geis.

For Opposition: Emanuel E. Sternfield and Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(1100-39-BZ)

WHEREAS, William Wolff for Bertha Geis, owner (Samuel Levine, lessee), filed September 5, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles; premises North side of East 174th street from Morrison avenue to Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 174th street is in residence and business use districts; Stratford avenue and Morrison avenue are in residence use districts, and

WHEREAS, the decision of the borough superintendent of buildings dated August 8, 1939, reads:

"Please be advised that your application for a Certificate of Occupancy for the use of the above premises for the parking and storage of more than five (5) cars

is hereby denied as the premises are located in a residence district where such occupancy is contrary to section 3, article 2 of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on East 174th street, 100 ft. on Stratford avenue and 100 ft. on Morrison avenue. It is proposed to occupy the plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed, and that the application be and it hereby is denied.

1161-39-BZ.

APPLICANT—Robert T. Schaefer, for Michael McCormick, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a motor vehicle repair shop partly on an existing gasoline service station.

PREMISES AFFECTED—4302-4308 Farragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert T. Schaefer and Michael McCormick.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1161-39-BZ)

WHEREAS, Robert T. Schaefer for Michael McCormick, owner, filed September 21, 1939, an application under sections 7a and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop partly on an existing gasoline service station; premises 4302-4308 Farragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Farragut road is in a business use district; East 43rd street and Troy avenue are in business, unrestricted and residence use districts; Glenwood road is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent on Alt. Application No. 11965-38, dated September 11, 1939, as amended April 4, 1940, reads:

"Proposed extension to a gasoline service station in a business use district by the erection of a motor vehicle repair shop is contrary to the building zone resolution, sec. 4."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 70 ft. on Farragut road and 100 ft. on East 43rd street. The Farragut road front of the plot is occupied as a gasoline service station, and the East 43rd street front

MINUTES

of the plot is occupied by a one-story building, 38 ft. by 42 ft. in area; used as office, auto storage of 2 cars; auto laundry and auto repairs; and painting shop. It is proposed to erect upon the vacant southerly portion of the East 43rd street front of the plot, a one-story building, 20 ft. by 48 ft. in area, to be occupied as a motor vehicle repair shop, storage for 5 motor vehicles, office and boiler room; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution, to permit the extension of the existing accessory building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, to permit the extension of the legally existing accessory building by the construction of the proposed one (1) story building used for automobile repairs and storage of five (5) cars, office, toilet and boiler room, *on condition*, that this portion of the building shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing is of approved type; that any boiler room construction shall be above grade and separated from the balance of the building by fireproof materials and enterable only from the exterior; that any doors between the proposed automobile repair shop and the existing accessory building shall be fireproof and self-closing; that no doors to any portion of the accessory building and no vestibule shall extend beyond the building line; that there shall be no windows constructed opening upon the adjoining premises; that no additional pumps erected shall be nearer than 15 ft. to any street building line; that no additional curb cuts shall be constructed other than those now existing, except that a curb cut may be constructed at the entrance to the proposed automobile repair shop; that automobile repairing to be carried on shall be such as can be done with the use of hand tools, only except that a grinder and drill requiring a motor of not over $\frac{1}{2}$ H. P. may be permitted; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1308-39-BZ.

APPLICANT—Philip Hirshkind (lessee), for Manufacturers Trust Company (as trustee), owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John L. McAdams and Bernard Diamond.

For Opposition: Caroline Grubert and James J. Cotter.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy..... 3

THE RESOLUTION—

(1308-39-BZ)

WHEREAS, Philip Hirshkind, for Manufacturers Trust Company, owner, filed October 24, 1939, an application under 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 31st street, 34th avenue and Broadway are in business use districts; 30th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings on Application No. 7262-1939, dated September 25, 1939 and as amended on April 15, 1940, reads:

"1. Proposed use of premises for the parking and storage of automobiles is contrary to Sec. 4-15 of the building zone resolution. Note: premises is in a business district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 250 ft. on 31st street and a depth of 80 ft. It is proposed to occupy the site for a temporary period of not more than two (2) years, for the parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 1:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 21, 1940

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES

39-31-BZ.

APPLICANT—Reginald S. Hardy, for Woodhaven-Liberty Realty Corporation, owner.

SUBJECT—Application for consideration—reopening on a new proposal (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously granted on condition re erection of a garage for more than five (5) motor vehicles and gasoline service station, which were not built).

MINUTES

PREMISES AFFECTED—93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 394, Lot No. 34), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

207-33-BZ.

APPLICANT—Samuel J. Ziegler, for City Bank Farmers Trust Company, trustee for George McDonald Phillips, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—(re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, automobile showroom and the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65, 66 and 67), Borough of The Bronx.

APPEARANCES—

For Applicant: Julius J. Ganz and S. J. Ziegler.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

289-34-BZ.

APPLICANT—Wrenn and Schmid, for Edith J. Potter, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) granted under section 7a of the building zone resolution, permitting in a residence use district, the extension in area of an existing garage and automobile repair shop for a temporary period.

PREMISES AFFECTED—308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: William J. Cosgrove.

ACTION OF BOARD—Application reopened and set for hearing June 25, 1940 at 2 P.M. to permit two publications in the Bulletin.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

235-37-BZ.

APPLICANT—3331 Fish Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business

use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: F. S. Sanford.

ACTION OF BOARD—Application reopened and set for hearing June 25, 1940, 2 P.M. to permit two publications in the Bulletin.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

176-38-BZ.

APPLICANT—John J. Beatty, for Rubel Corporation, owner (Bergen Auto Wrecking, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the maintenance of a junk yard.

PREMISES AFFECTED—26 Utica avenue and 686 Herkimer street, southwest corner (Block No. 1707, Lot Nos. 46 to 48, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

THE RESOLUTION—

(176-38-BZ)

WHEREAS, John J. Beatty, for Rubel Corporation, owner, (Bergen Auto Wrecking, Incorporated, lessee), filed March 15, 1938, an application under Section 21 of the building zone resolution, to permit in a business use district the maintenance of a junk yard; premises 26 Utica avenue and 686 Herkimer street, southwest corner, (Block 1707, Lot Nos. 46-48, inclusive), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

19-26-BZ.

APPLICANT—William Doeschner, for Irving J. Fein, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), granted under section 7g of the building zone resolution, permitting in a residence use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1659-1667 St. Marks avenue north side, 133.9 ft. west of Rockaway avenue (Block No. 1454, Lot Nos. 54 and 56), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

McCarthy 4
Negative 0

MINUTES

THE RESOLUTION—

(19-26-BZ)

WHEREAS, Edward P. Doyle, for William Glichman, owner, filed, January 6, 1926, an application, under the building zone resolution, to permit in a residence district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 1659-1667 St. Marks avenue, Borough of Brooklyn; and

WHEREAS, the decision of the superintendent of buildings, rendered December 31, 1925, reads:

"(Application 24134-1925).

Proposition contrary to the Zone Resolution, Art. II, Sec. 3.

The erection of a public garage for more than five motor vehicles in residential districts.";

and
WHEREAS, the proposed building is of non-fireproof construction, one story in height, with a frontage of 91 ft. and a depth of 127 ft. 9 in., to be occupied as a garage for the storage of more than five (5) motor vehicles; and

WHEREAS, applicant has complied with the requirements of section 7g of the building zone resolution by filing 80.6 per cent. of consents of affected property owners and the Board deemed he was entitled to relief; and

WHEREAS, this application was granted by the Board July 13, 1926, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 13, 1926, be and it hereby is *amended*, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building shall be limited to a one-story structure in height above the sidewalk, constructed fireproof; that the rear and gable walls shall be unpierced throughout their entire height and length; that no skylight shall be incorporated within twenty feet of the rear wall, and any skylights incorporated shall be glazed with plain glass, protected above and below with wire guards; that there shall be no advertising of any nature or description displayed on the building other than one electric projecting sign, indicating the name and title of the garage on the front of the building; that any gasoline storage equipment installed shall be limited to one 550-gallon tank, to be located at the street front at the westerly end of the building; that the front elevation shall be finished in face brick with architectural terra cotta or stone trimmings.

Resolved further, that in the event the owner desires to install an additional 550-gallon gasoline tank and pump, making a total of two (2) such tanks and pumps, such installation may be permitted and arranged as shown on plans marked 'Received May 15, 1940', *on condition* that there shall be no portable gasoline tanks used on or from the premises and that the bottom of the tank shall be so located as to be below the level of the boiler room floor."

806-38-BZ.

APPLICANT—Charles Heiman Babcock and Associates, for Rose Buttelman, owner (Horsting Service Station, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—65-27 Cooper avenue, northeast corner of 65th place, north side of Cooper avenue, from 65th place to 66th street (Block No. 3698, Lot No. 1), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: John H. Horsting.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(806-38-BZ)

WHEREAS, Babcock and Foster, for Rose Buttelman, owner (Horsting Service Station, Incorporated, lessee), filed September 21, 1938, an application under section 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station; premises 65-27 Cooper avenue, northeast corner of 65th place, north side of Cooper avenue, from 65th place to 66th street (Block No. 3698, Lot No. 1), Glendale, Borough of Queens; and

WHEREAS, this appeal was granted by the Board May 23, 1939, on certain conditions, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on May 23, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution shall read:

"that in view of statement by applicant that plans for the alteration have been filed and approved and permit obtained, that all work shall be completed within one (1) year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

147-40-A.

APPLICANT—Barnet Dovman, for 1-3-5 Bond Street Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1-5 Bond street, southwest corner of Shinbone Alley (Block No. 529, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to May 28, 1940, at 2 P.M., on written request. Applicant to be notified of date.

174-40-A.

APPLICANT—G. R. Rinke, for New York Dock Company, owner (John Powell and Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Building Nos. 339, 344 and 345); (Block No. 611, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. R. Rinke and G. A. Eiveler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for inspection by a committee of the Board.

176-40-A.

APPLICANT—Maria Daniele, owner.

SUBJECT—Appeal from an order of the borough superintendent of buildings.

MINUTES

PREMISES AFFECTED—14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Maria Daniele.

ACTION OF BOARD—Laid over to May 28, 1940, at 2 P.M., on request of applicant.

263-40-A.

APPLICANT—James A. Boyle, for George S. Thain, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: James A. Boyle.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to June 18, 1940, at 2 P.M., for inspection by a committee of the Board and for appellant to file plans in the Building Department.

354-40-A.

APPLICANT—Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

OWNER OF PREMISES—Paul and Juliet Toth.

SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N.B. 3110-37.

PREMISES AFFECTED—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Ferro and Frank Catalano.

For Owner: A. A. Wilson, Jr. and H. A. Malkin.

ACTION OF BOARD—Laid over to June 18, 1940, at 2 P.M., for inspection and further consideration by the Board.

373-40-A.

APPLICANT—Dinhofer Brothers, Incorporated (lessees), for Aberdeen Realty Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—150-156 Lafayette street, west side, 119 ft. north of Howard street (seventh floor) (Block No. 233, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Dinhofer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to May 28, 1940, at 2 P.M., for further information from Fire Department inspector.

495-40-A-WF.

APPLICANT—Jack H. Schecter, lessee, for Carmela Adamo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Jack H. Schecter.

For Administration: Joseph Ferro, Department of Housing and Buildings, and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to June 11, 1940, at 2 P.M., for inspection by a committee of the Board.

262-40-A.

APPLICANT—Sol A. Herzog, for S. Rasise, owner (Astoria Photo Service, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—27-16 23rd avenue, west side, 40 ft. north of 28th street (Block No. 853, Lot No. 43), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Sol A. Herzog.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

15-40-A.

APPLICANT—Louis Kaufman, for Parkside Tailors (lessees), for E. R. Halsey, owner.

SUBJECT—Appeal from an order and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—75 Irving place, west side, 90 ft. south of East 19th street (Block No. 874, Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis Kaufman.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(15-40-A)

WHEREAS, Louis Kaufman, for Parkside Tailors (lessees), for E. R. Halsey, owner, filed January 5, 1940, an appeal from an order and a decision of the acting borough superintendent of buildings; premises 75 Irving place, west side, 90 ft. south of East 19th street (Block No. 874, Lot No. 65), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

1339-39-A.

APPLICANT—Ansonia Fire Prevention Company, for New Brighton Milling and Warehouse Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

MINUTES

THE RESOLUTION—

(1339-39-A)

WHEREAS, Ansonia Fire Prevention Company, for New Brighton Milling and Warehouse Corporation, owner, filed October 31, 1939, an appeal from an order and a decision of the fire commissioner; premises north side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, No. 2475-LF, dated September 27, 1938, reads:

"1. Provide a reserve water supply of at least 2,500 gallons for standpipe system, so arranged as to give a hydrostatic pressure of at least 5 pounds at highest hose valve under main roof in accordance with Article 17, Chapter 26, of the Adm. Code.

2. Cross connect the two standpipe risers at lower level."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated October 25, 1939; and

WHEREAS, the building is three stories and penthouse (46 ft. 6½ in.) in height, 114 ft. by 112 ft. in area; of Class 1 construction; located in an unrestricted use district; erected in 1917, and occupied: first to third stories, inclusive, storage of flour, 7 persons throughout; penthouse, sifting of flour; and

WHEREAS, the applicant contends that the building is open on three sides; that the adjoining building to the west is equipped with a sprinkler system; that the area of the typical floor is approximately 12,200 sq. ft.; that the area of the penthouse is 1,900 sq. ft.; that the present standpipe system consists of a 4-inch riser in each of the two stairways on the Bank street front; that the risers were installed at the time the building was erected and are equipped with separate siamese connections on the Bank street front; that in view of the non-hazardous occupancy, of the numerous bucket tanks and fire extinguishers throughout the building, and that it is of fireproof construction, and that the area is only 2,200 sq. ft. in excess of the requirement for a standpipe, it is respectfully requested that the order be waived.

Resolved, that the order of the fire commissioner, No. 2475-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the standpipe system shall be maintained to the satisfaction of the fire commissioner as a dry system and that in all other respects the requirements of the order and all other laws, rules and regulations applicable to the occupancy shall be complied with.

138-40-A.

APPLICANT—Anchor Cap and Closure Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—43-22 Queens street, west side, 200 ft. south of Jackson avenue, and 43-21 Dutchkills street, east side, 150 ft. south of Jackson avenue (Block No. 266, Lot No. 3), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Edward D. Kemble, Charles Hettinger and Herbert Jamison.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4

0

THE RESOLUTION—

(138-40-A)

WHEREAS, Anchor Cap and Closure Corporation, owner,

filed February 2, 1940, an appeal from an order of the fire commissioner; premises 43-22 Queens street, west side, 200 ft. south of Jackson avenue, and 43-21 Dutchkills street, east side, 150 ft. south of Jackson avenue (Block No. 266, Lot No. 3), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 82176-LC, dated January 4, 1940, reads:

"3. Reduce the quantity of volatile inflammable oils (toluol, zylol, savasol No. 2 and savasol No. 3) to five gallons and provide approved safety cans of not more than 5 gallons capacity for the storage of same.

or

Provide approved storage system for the storage of toluol, zylol, savasol No. 2 and savasol No. 3. Plans and specifications to be filed with and approved by Division of Buildings before the work of installing the tank is commenced. Tank to be tested and inspection supervised by a representative of Division of Combustibles, Fire Department.

4. Reduce the quantity of volatile inflammable oil (savasol No. 2, savasol No. 3, toluol and zylol) stored above the first story of factory premises to a total of not more than 5 gallons and provide approved safety cans for storage of said oils."

and

WHEREAS, the building is six stories (82 ft.) in height, 309 ft. by 80 ft. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; located in an unrestricted use district; erected in 1920 and 1929, and occupied: cellar, power room and engine room, 10 persons; first story, rubber manufacture and storage of raw materials, 50 persons; second story, stock and shipping room, 15 persons; third story, manufacture of metal caps, 150 persons; fourth story, same, 100 persons; fifth story, machine shop and office, 130 persons; sixth story, office and metal decorating department, 130 persons; and

WHEREAS, the applicant contends that if compelled to reduce the quantities of toluol, zylol and savasol No. 2 to five gallons he would be unable to conduct the decorating process which has been part of the plant for ten years; that to provide an underground storage system, as required by the order, would work a hardship on the owner and hamper production; that it is proposed to reduce to a maximum of five gallons each of the volatile solvents carried in the laboratory on the sixth story and to maintain this material in approved five-gallon containers; that this laboratory room is fireproof and ventilated to the outer air; that it is proposed to keep in a fireproof paint room, of vault type construction, ventilated to the outer air, and located on the sixth story, ten drums of varnish, one drum of sizing, one drum of varnolene and twelve drums of paint and thinners, to be contained in five-gallon approved safety cans; that it is also proposed to construct on the first story a vault consisting of 4-inch hollow tile, set in Portland cement, and plastered on both sides with cement having a total thickness of 6 inches, ventilated to the outer air by a top-hinger sash, equipped with a Class B Underwriters' approved self-closing door and a 6-inch seal at the door opening; that in this room it is proposed to store a maximum of three drums of methyl-iso-butyl-ketone, three drums of toluol, three drums of zylol, and the balance of the materials as listed in the Fire Department application for a permit and as shown: twenty drums of processing varnish, ten drums of varnish, two drums of sizing, nine drums of varnolene, twenty drums of paint, one drum of kerosene, one drum of turpentine, eight drums of lubricating oil, two drums of glycerine, 400 pounds of sulphur, three drums of methyl-iso-butyl-ketone, three drums of toluol, three drums of zylol, two drums of savasol No. 2 and two drums of thinners; that this vault on the first story will be completely equipped with a sprinkler system and carbon dioxide fire extinguisher; that in addition, it is proposed to maintain on the first story, in the paint vault, paint mixing equipment of 100 gallon overflow capacity for which the solvents previously mentioned are

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used; that this mixer will be equipped with an explosion-proof motor, and the electrical work in connection therewith will be of the explosion-proof type; that this mixing device will be equipped with a metal clamp cover and be filled by a hand pump from the drums directly to the mixing chamber, and will be ventilated to the outer air.

Resolved, that the order of the fire commissioner, No. 82176-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the handling of volatile inflammable oils shall be carried on as proposed by the applicant and to the satisfaction of the fire commissioner, except that the storage of toluol, zylol and salvasol No. 2 and No. 3 shall be stored in underground tanks complying with the requirements of the Administrative Code therefor; that such tanks may be buried underground within the building, toward Queens street, and shall have on the first story a fireproof enclosure with approved type pumps for drawing off purposes; that not more than five gallons of each of these materials shall be carried through the building for manufacturing purposes and only in approved safety cans; that this enclosure shall have fixed ventilation to the outer air at Queens street; that the room shall be enclosed with walls of terra cotta block or other incombustible masonry material, and any door thereto shall be fireproof and self-closing; that any electric lamps shall be of the vapor-proof type and that all wiring shall be in a metal conduit; that the sprinkler system in the building shall be extended so as to include the protection of the storage rooms as herein proposed and as required by this resolution.

157-40-A.

APPLICANT—John F. Jackson, for Brooklyn and Queens Young Men's Christian Association, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—324-326 Gates avenue, south side, 125 ft. east of Bedford avenue (Block No. 1812, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Jackson and Charles E. Conway.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(157-40-A)

WHEREAS, John F. Jackson, for Brooklyn and Queens Young Men's Christian Association, owner, filed February 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 324-326 Gates avenue, south side, 125 ft. east of Bedford avenue (Block No. 1812, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Misc. Applic. No. 5110-39, dated February 6, 1940, reads:

"1. Proposal to install Diesel engines for study and demonstration purposes must comply with the Oil Burner Rules as adopted by the Board of Standards and Appeals as to storage, piping, venting, filling and in all other respects.

2. Art. 18, Ch. 19 of the Administrative Code (Refrigerating Plants) must be complied with."

and

WHEREAS, the building is one story (12 ft. 6 in.) in height, 32 ft. 4 in. by 100 ft. in area; of Class 3 construction; located in residence use D district; erected in 1940, and occupied as a trade school, 75 persons; and

WHEREAS, the applicant contends that the building is separated from the adjoining buildings by double self-closing fire doors; that the Diesel engines in question are of various types and sizes and are used for demonstration only; that these machines are operated for periods of approximately one hour per day; that fuel oil is carried from a tank in the basement of 1115-1119 Bedford avenue to the building in question in a number of containers to supply these Diesel engines; that as to Objection No. 2, there is no refrigeration carried on on the premises; that the refrigeration units are of various types, each using a different refrigerant and used for demonstrative purposes only; that no refrigerant is stored except that used in each unit.

Resolved, that the decision of the borough superintendent of buildings, on Misc. Applic. No. 5110-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that this equipment shall be solely for demonstration purposes, used in connection with classroom work, and shall during class periods be under the supervision of an instructor familiar with the handling of such equipment material; that such combustible material as is necessary for the operation of the Diesel engine shall be brought to the premises in safety cans; that the exhaust from the Diesel engine shall be carried to the outer air; that any refrigerating units used similarly for classroom purposes shall be operated only during class period under the supervision of a qualified instructor familiar with the use of refrigerants, such instructor to hold a certificate of fitness from the Fire Department for handling refrigerants.

158-40-A.

APPLICANT—William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-27 to 58-39 185th street, east side, 240 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(158-40-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed February 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-27 to 58-39 185th street, east side, 240 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 431, 432, 433 and 434-40, dated January 29, 1940, relating to dwellings, reads:

"1. Frame construction within fire limits is contrary to Sec. 4.1.2 of Building Code.

2. Attic floor to be of 3" beams as per Sec. 7.1.4 of Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 484, 485, 486 and 487-40, dated May 6, 1940, relating to the garages, reads:

"The erection of a frame building, as shown, is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 160 ft. by 100 ft. in area, which it is proposed to subdivide into 40 ft. lots

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and to erect on each lot a frame, one-family dwelling and a private garage, as shown on plan filed with this appeal; and

WHEREAS, the applicant contends, as to Objection No. 1, that the conditions herein are similar to those acted on by the Board under Cal. No. 674-39-A, affecting buildings being erected by the applicant in the same development; that as to Objection No. 2, two-inch beams will be used if the Board permits the construction of the buildings under conditions as allowed outside the fire limits.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. Nos. 431, 432, 433 and 434-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of frame buildings as proposed, substantially as shown on new building applications filed with the borough superintendent of buildings, *on condition* that the occupancy of each building shall be limited to the residential occupancy of one family each; that the buildings shall each comply with the requirements for an F area district, except that one side yard need not be more than 5 ft. in width, and provided the distance between the house on the adjoining plot is not less than 15 ft., except that chimney breasts may extend into the side yards for a distance of not more than 2 ft., and *granted*, as to N.B. Applic. Nos. 484, 485, 486 and 487-40, as to garages, so as to permit the construction of garages, substantially as shown on plans filed with such applications, *on condition* that the garages shall be constructed of approved masonry, either with or without masonry veneering; that no garage shall be erected nearer than 1 foot to either side lot line or rear line; that roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that the gable ends of the garages adjoining the lot line shall be of fire-retarded construction; that these buildings shall be subject to a private restriction extending from North Hempstead Turnpike northerly to 58th avenue, and that an affidavit to this effect shall be filed with the borough superintendent of buildings as to the restriction's being enforced; that in all other respects the buildings shall comply with the requirements for residential buildings erected outside the fire limits; that nothing but buildings for residential occupancy shall be constructed, except the garages therefor.

159-40-A.

APPLICANT—William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-20 to 58-28 185th street, west side, 160 ft. south of 58th avenue (Block No. 5688, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(159-40-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed February 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-20 to 58-28 185th street, west side, 160 ft. south of 58th avenue (Block No. 5688, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 428, 429 and 430-40, dated January 29, 1940, relating to dwellings, reads:

"1. Frame construction within fire limits is contrary to Sec. 4.1.2 of Building Code.

2. Attic floor to be of 3 in. timber as per Sec. 7.1.4 of Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 481 to 483, inclusive, of 1940, dated May 6, 1940, relating to the garages, reads:

"The erection of a frame building as shown is contrary to Art. 5, Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 120 ft. by 100 ft. in area, which it is proposed to subdivide into three separate 40 ft. lots and to erect upon each lot a frame, one-family dwelling and a private garage, as shown on plan filed with this appeal; and

WHEREAS, the applicant contends, as to Objection No. 1, that the conditions herein are similar to those acted on by the Board under Cal. No. 674-39-A, affecting buildings being erected by the applicant in the same development; that as to Objection No. 2, two-inch beams will be used if the Board permits the construction of the buildings under conditions as allowed outside the fire limits.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. Nos. 428, 429 and 430-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to proposed residences, to permit the erection of frame buildings as proposed, substantially as shown on new building applications filed with the borough superintendent of buildings, *on condition* that the occupancy of each building shall be limited to the residential occupancy of one family each; that the buildings shall each comply with the requirements for an F area district, except that one side yard need not be more than 5 ft. in width, and provided the distance between the house on the adjoining plot is not less than 15 ft., except that chimney breasts may extend into the side yards for a distance of not more than 2 ft., and *granted*, as to N.B. Applic. Nos. 481 to 483-40, inclusive, as to garages, so as to permit the construction of garages, substantially as shown on plans filed with such applications, *on condition* that the garages shall be constructed of approved masonry, either with or without masonry veneering; that no garage shall be erected nearer than 1 foot to either side lot line or rear line; that roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that the gable ends of the garages adjoining the lot line shall be of fire-retarded construction; that these buildings shall be subject to a private restriction extending from North Hempstead Turnpike northerly to 58th avenue, and that an affidavit to this effect shall be filed with the borough superintendent of buildings as to the restriction's being enforced; that in all other respects the buildings shall comply with the requirements for residential buildings erected outside the fire limits; that nothing but buildings for residential occupancy shall be constructed, except the garages therefor.

160-40-A.

APPLICANT—Arthur F. Winter, for Sanline Realty Corporation, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—37-15 to 37-19 82nd street, east side, 136 ft. 7 in. south of Polk avenue (Block No. 1470, Lot No. 59), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

MINUTES

Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(160-40-A)

WHEREAS, Arthur F. Winter, for Sanline Realty Corporation, owner, filed February 9, 1940, an appeal from an order of the fire commissioner; premises 37-15 to 37-19 82nd street, east side, 136 ft. 7 in. south of Polk avenue (Block No. 1470, Lot No. 59), Jackson Heights, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 3924-LF, dated January 6, 1940, reads:

"Provide a separate and distinct system of *automatic Sprinklers* in that part of cellar occupied by F. W. Woolworth Company having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the building is two stories (30 ft.) in height, 63 ft. 9 in. by 97 ft. 4 in. in area; of Class 3 construction; erected in 1939; located in a business use district, and occupied: cellar, storage, 2 persons; first story, sales room, 30 persons; second story, offices and rest room; and

WHEREAS, the applicant contends that there are two fireproof stairways leading from the basement to the first story one of which leads directly to the street; that there is a sidewalk freight elevator at the front of the building; that ventilation is provided by means of bronze grills in the show window bulkhead; that the stock room is enclosed with fireproof partitions and is divided into a ventilating room, a room for the storage of baled paper, and an area for unpacking and the storage of merchandise; that the merchandise carried in the basement is common to the five-and-ten-cent-store type of occupancy, and the celluloid merchandise is approximately .7 of 1 per cent. of the entire stock; that all the aisles are 3 ft. wide and are kept clear at all times; that all basement partitions are fireproof; that the first story is of fireproof construction.

Resolved, that the order of the fire commissioner, No. 3924-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1½-inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

182-40-A.

APPLICANT—John Avellino, owner (Fanti Export and Import Corporation, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—573-577 Sackett street, east side, 100 ft. north of Third avenue (Block No. 426, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Avellino.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(182-40-A)

WHEREAS, John Avellino, owner, filed February 16, 1940, an appeal from an order of the fire commissioner; premises 573-577 Sackett street, east side, 100 ft. north of Third avenue (Block No. 426, Lot No. 36), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4026-LF, dated January 19, 1940, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout building having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the building is three stories (40 ft.) in height, 60 ft. by 100 ft. in area; of Class 3 construction; erected in 1930; located in an unrestricted use district, and occupied: first story, loading platform; second story, baling and sorting of feathers, 1 person; third story, same; and

WHEREAS, the applicant contends that the building is used mainly for the baling and assorting of feathers; that the entire stock is practically all in bales; that there are fire pails on each story; that ceilings are metal covered; that there is a 1½-inch water line on each story to which a hose can be attached.

Resolved, that the order of the fire commissioner, No. 4026-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no storage of combustible fibre or feathers shall be maintained in the cellar, and that the maintenance of the premises shall be to the satisfaction of the fire commissioner, and that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct, and *granted* only so long as the premises are not increased in height or area and are maintained as herein required.

233-40-A.

APPLICANT — Scanlon Wool Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—613-619 West 40th street, north side, 225 ft. west of 11th avenue (Block No. 1088, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Applicant: Timothy A. McCarthy and James P. Scanlon.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(233-40-A)

WHEREAS, Scanlon Wool Company, Incorporated, owner, filed March 1, 1940, an appeal from an order and a decision of the fire commissioner; premises 613-619 West 40th street, north side, 225 ft. west of 11th avenue (Block No. 1088, Lot No. 20), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 19747-LC, dated November 17, 1939, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

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1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system.

Section C19-149.0-c, 4, Article 26 of the Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated February 28, 1940; and

WHEREAS, the building is three stories (38 ft.) in height 100 ft. by 100 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1883, and occupied: cellar, washing skins, 14 persons; first story, storage and office, 4 persons; second story, storage, office and machine shop, 3 persons; third story, wool pulling, 22 persons; and

WHEREAS, the applicant contends that wool is not a combustible fibre in the same sense as cotton, paper, rags or excelsior; that this building has been owned and occupied by the same establishment since 1883.

Resolved, that the order of the fire commissioner, No. 19747-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct, and *granted* only so long as the building is maintained and occupied substantially as at present and to the satisfaction of the fire commissioner.

285-40-A.

APPLICANT—Ernest Kamp, for 606 Water Street Corporation, owner (S. Orlinsky and Sons, lessees).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—602 Water street, north side, 47.8 feet east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Fricke, Ernest Kamp and H. Orlinsky.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(285-40-A)

WHEREAS, Ernest Kamp (S. Orlinsky and Sons, lessees), for 606 Water Street Corporation, owner, filed March 15, 1940, an appeal from an order of the fire commissioner; premises 602 Water street, north side, 47.8 ft. east of Montgomery street (Block No. 259, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 20973-LC, dated February 16, 1940, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system, for instance, an approved automatic sprinkler system.

Section C19-149.0-C-4, Art. 26 of the Administrative Code."

and

WHEREAS, the building is three stories (32 ft.) in height, 22.3 ft. by 58.9 ft. in area; of Class 3 construction; located in an unrestricted use D area district, and occupied since 1931 as follows: first story, warehouse, no persons; second story, same; third story, factory, 6 persons; and

WHEREAS, the applicant contends that the building has been occupied since 1931 by manufacturers of burlap bags; that combustible permits have been issued by the Fire Department for five tons of rags; that at no time is there more than two tons of combustible fibre on the premises; that this combustible fibre consists of clippings and the ends of bags; that the first and second stories are used for storage and the third story for sewing of bags; that egress can be had by enclosed wooden stairs throughout the building or

through fireproof, self-closing doors to the adjoining building on Water street and also by a fire escape on the front of the building; that there is additional egress from the first and second stories through and over the roof of the building adjoining to the rear on Cherry street; that as the building is small and there are at least three means of egress from each floor and that the building is unheated, it is considered that the sprinkler system is unnecessary.

Resolved, that the order of the fire commissioner, No. 20973-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than one ton of loose, unbaled burlap or other combustible fibre shall be stored in the building at any one time; that the building shall not be increased in height or area; that any openings between this building and the adjoining one shall be protected with approved self-closing, fireproof doors, and *granted* only so long as the conditions are maintained generally to the satisfaction of the fire commissioner, and that such portable fire-fighting appliances shall be maintained as he shall direct.

378-40-A.

APPLICANT—David Kaufman, for Lawrence Schmidt, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: David Kaufman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(378-40-A)

WHEREAS, David Kaufman, for Lawrence Schmidt, owner, filed April 11, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1200 University avenue, east side, 83.77 ft. north of West 167th street (Block No. 2528, Lot No. 11), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, under date of March 12, 1940, in acting on application for a certificate of occupancy, reads:

"3. Wall separating bakery from garage has door opening instead of being unpierced."

and

WHEREAS, the building is one and two stories (26 ft.) in height; 50 ft. by 100 ft. in area at first story and 50 ft. by 68 ft. in area at typical floor level; of Class 3 construction; located in a business use B area district; erected in 1908 and 1930, and occupied: cellar, boiler room and storage; first story, bakery and four-car garage, 6 persons; second story, dwelling, two families; and

WHEREAS, the applicant contends that four bakery trucks are stored in the garage; that they are loaded early in the morning, and access for such loading is through a doorway from bakery to garage; that inasmuch as the loading consumes some time if the doorway is closed, it would be a hardship to load a truck in the street or to go out into the street with bundles of bread and cake; further, that the noise during the early hours of the morning would be annoying to the neighborhood; that it is necessary for the conduct of the business to load the trucks through the doorway in question; that it is proposed to protect this doorway with a fireproof door on the bakery side and a rolling type fire door with a fusible link on the garage side; and

WHEREAS, these premises were inspected by a committee of the Board and found that the building was arranged as indicated on plan filed marked 'Received May 16, 1940'; that the building was occupied by a bakery on the street

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floor and cellar with a four-car garage accessory thereto, and for two six-room apartments on the second floor; that the records appear to confuse this building with the building to the south known as 1198 University avenue, owned by the same owner; that the premises are maintained in excellent condition throughout.

Resolved, that the decision of the borough superintendent be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 3, *on condition* that in addition to the existing door opening, approximately 24 ft. from the street building line on the first story, which opening is protected with a fireproof, self-closing door, there shall be installed on the garage side of this opening an approved underwriters labelled sliding fire door; that the premises shall not be increased in height or area; that approval shall be obtained from the fire department for the three existing oil burners on the premises and that the second story shall at no time be occupied by more than two families.

381-40-A.

APPLICANT—Ansonia Fire Prevention Company, for Lexington Avenue and 59th Street Corporation, owner (H. L. Green Co., Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—142-158 East 59th street, south side, 100 ft. west of Third avenue (Block No. 1313, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(381-40-A)

WHEREAS, Ansonia Fire Prevention Company, for (H. L. Green Company, Incorporated, lessee) Lexington Avenue and 59th Street Corporation, owner, filed April 11, 1940, an appeal from an order and a decision of the fire commissioner; premises 142-158 East 59th street, south side, 100 ft. west of Third avenue, (Block No. 1313, Lot No. 43), Borough of Manhattan; and

WHEREAS, order No. 1985-LF, issued by the fire commissioner August 13, 1938, reads:

"1. Install a wet automatic sprinkler system in the cellar having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Administrative Code of the City of New York."

and

WHEREAS, the decision of the fire commissioner, dated March 28, 1940, reads:

"In reply to your request for reconsideration on Order 1985 LF, requiring a sprinkler system in the cellar of the above premises, you are advised that in view of the combustible stock in the cellars, your request must be denied."

and

WHEREAS, the building is four stories (62 ft. 6 in.) in height; 225 ft. by 80 ft. 5 in. in area at first story and 225 ft. by 72 ft in area above; of Class 1 construction; erected in 1927; equipped with a standpipe system; located in a business use district and occupied: cellar, sales and stock room, 30 persons; first story, stores, 100 persons; second story, bowling alley, 12 persons; third story, storage of furniture, 20 persons; four story, same; and

WHEREAS, the applicant contends that with the exception of a small portion at the northeast corner, the entire cellar is used by one tenant as sales floor and stock room; and

that the salesroom is separated from the stock room by a fireproof partition with fireproof doors; that there are two stairs leading from sales floor to first story; that the means of egress from the stock room consist of an opening equipped with fireproof doors leading to sales floor, and an interior stairway at the west of building which leads to a fireproof passageway and thence to the street on the first story; that it is proposed to install throughout the stock room portion a non-automatic sprinkler system with a pump connection on the street front; that in addition, it is proposed to connect the sprinkler system, protecting the more hazardous portions, such as kitchen and unpacking space, to the domestic house supply, so that the sprinkler system will be wet at all times.

Resolved, that the order of the fire commissioner, No. 1985-LF, as modified on June 9, 1939, to affect the portion of the cellar only as occupied by stock room, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout such stock room portion of the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that all fittings and hangers shall be of malleable iron, except that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control and from the sidewalk pumper inlet; that there shall be a single inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum; that the walls separating the stock room portion of the cellar from the sales room portion shall be constructed of not less than 6 inches of terra cotta block with not more than one opening therein and that opening shall be protected with an approved fireproof, self-closing door.

451-40-A.

APPLICANT—Sidney L. Strauss, for Trinity Operating Company, Incorporated, owner (Mrs. Peter Auer, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—23 Barclay street, north side, 212 ft. 6½ in. west of Broadway (Block No. 123, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(451-40-A)

WHEREAS, Sidney L. Strauss (Mrs. Peter Auer, lessee) for Trinity Operating Company, Inc., owner, filed April 10, 1940, an appeal from an order and a decision of the fire commissioner; premises 23 Barclay street, north side, 212 ft. 6½ in. west of Broadway (Block No. 123, Lot No. 4), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 4726-LF, dated May 3, 1939, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

MINUTES

WHEREAS, the decision of the fire commissioner, dated April 26, 1940, reads:

"In reference to your request for reconsideration on Order 4726-LF, requiring an automatic sprinkler system in the cellar and sub-cellar of the above premises, a reinspection has been made and in view of the lack of direct entrance to the cellars, and inadequate means of ventilation, your request must be denied."

and

WHEREAS, the building is five stories (56 ft.) in height; 25 ft. by 75 ft. in area at first story and 25 ft. by 60 ft. in area above; of class 3 construction; erected about 1890; located in an unrestricted use district and occupied: sub-cellar, storage of ecclesiastical supplies, 0 persons; cellar, storage of ecclesiastical supplies, 1 person; first story, store, five persons; second story, office and mimeograph supplies, two persons; third story, storage and mimeograph work-room, 12 persons; fourth story, storage of mimeograph supplies, 0 persons; fifth story, same; and

WHEREAS, the applicant contends that the premises have been occupied as they now exist for several years past; that at the present time there exists in the cellar and sub-cellar, a perforated pipe system in perfect working order; that this system covers the entire cellar and sub-cellar areas, and is connected to existing siamese connections on the street front of the building, with a separate siamese connection for each of the cellar and sub-cellar; that there exists a flush type iron sidewalk door leading from the sidewalk to the cellar; that there exists an interior stairway from the first floor to the cellar and thence from the cellar to the sub-cellar; that the cellar, sub-cellar and first story are used by one tenant for the sale of ecclesiastical objects; that the greater portion of such objects are of composition or other incombustible materials; that there is no heating plant in the building as the heat is supplied by the New York Steam Corporation, thereby greatly reducing the possibility of fire hazard in the cellar or sub-cellar; that it is respectfully requested that the violation as issued by the fire commissioner be waived, and that the perforated pipe system as now installed, be accepted as being in substantial compliance with the requirements.

Resolved, that the order of the fire commissioner, No. 4726-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the existing perforated pipe system in the cellar and sub-cellar shall be maintained to the satisfaction of the fire commissioner, and that in the cellar the space between the ventilating duct and the easterly wall shall be protected by at least three (3) sprinkler heads attached to the domestic water line; that the cap of the siamese and signs indicating the area covered shall be painted aluminum; that this modification shall continue only so long as the building is occupied substantially as at present.

508-40-A.

APPLICANT—William Gehron, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—6-20 West 137th street, south side, 63 ft. west of Fifth avenue (Block No. 1734, part of Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur Earle.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(508-40-A)

WHEREAS, William Gehron, for Department of Public Works, City of New York, owner, filed May 13, 1940, an

appeal from a decision of the borough superintendent of buildings; premises 6-20 West 137th street, south side, 63 ft. west of Fifth avenue (Block No. 1734, part of Lot No. 28), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on New Building Application 163-39, dated January 3, 1940, reads:

"5. The only openings permitted in fireproof partitions enclosing public hallways leading to required exits shall be those required for doors. (Sec. 10.8.3)."

and

WHEREAS, the building will be five stories and basement, (69 ft.) in height, 160 ft. by 65 ft. in area; of Class 1 construction; equipped with a standpipe system; located in an unrestricted use district and occupied: cellar, storage and mortuary, 22 persons; first story, out patients department, 96 persons; second story, same, 107 persons; third story, same, 102 persons; fourth story, ward, 82 persons; fifth story, ward, 82 persons; and

WHEREAS, the applicant contends that it is proposed to divide the building into two units consisting of treatment rooms for out patients on the first, second and third stories, and wards for children on the fourth and fifth stories; that the Department of Hospitals wishes to have the sub-divisions forming the rooms on the first three floors enclosed in 7 ft. 0 in. high glass partitions so as to allow free circulation of air and the transmission of as much light as possible in the corridors; that on the two upper floors which have corridor partitions running from floor to ceiling; it is proposed to have glass for lighting of the corridors and to permit attending nurses to have a clear view and control of the wards from the corridors without entering the rooms.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 163-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 5, on condition that the glass as proposed in the corridor partitions on the fourth and fifth stories shall be in steel sash divided with metal muntins with no light of glass exceeding on an average 15 sq. ft. and in a few instances 18 sq. ft., and that such glass shall be polished wire plate.

522-40-A.

APPLICANT—Van R. Pruitt, for Sons of the Revolution, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—101-103 Broad street, east side, 42 ft. 2 in. south of Pearl street (Block No. 7, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: M. F. Pruitt, C. O. Kienbusch, L. H. Dos Possos and Van R. Pruitt.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(522-40-A)

WHEREAS, Van R. Pruitt, for Sons of the Revolution, owner, filed May 15, 1940 an appeal from a decision of the borough superintendent of buildings; premises 101-103 Broad street, east side, 42 ft. 2 in. south of Pearl street (Block No. 7, Lot No. 33), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Application No. 1085-1940, dated May 15, 1940, reads:

"2. Building should be fireproof, due to height and public use."

11. Interior stairway should be maintained or provide a new interior stairway."

MINUTES

WHEREAS, the building is five stories in height; 34 ft. 11 in. by 63 ft. 8 in. in area; of non-fireproof construction; located in an unrestricted use district; erected prior to 1900 and occupied: cellar, boiler room and storage, no persons; first story, restaurant, 110 persons; second story, offices, 18 persons; third story, offices, 18 persons; fourth story, lofts, 18 persons; fifth story, lofts. It is proposed to occupy the building: cellar, same; first story, same, 100 persons; second story, private luncheon club, 30 persons; third story, storage and private museum, 20 persons; and

WHEREAS, the applicant contends that the building, which is now five stories will be decreased in height by the removal of the two top stories, thereby reducing the fire hazard; that the net area of each floor is only 1700 sq. ft.; that the use of the first story, which is now a restaurant, will not change but will continue to be used as such; that at present there is only one exit from this floor; that it is proposed to improve the exit facilities by cutting another opening to the adjoining building in the north; that the second story will be used as a private luncheon club; that the usual attendance will not exceed 30 persons at one time; that two exits will be provided for this floor, consisting of the present stairway to the street, now inclosed with terra cotta block, and proposed exterior stair leading through to a fire retarded inclosed stair of the adjoining building on the south, leading directly to the street; that the third floor, where historical relics will be housed, will be used as an extension to the exhibit room of Fraunces Tavern, the building directly adjoining to the north; that the attendance on this floor will be regulated so as not to exceed 20 persons at one time; there will be two exits on this floor, one to be a new opening out in the north wall with a double fire door; that the building is owned by the Sons of the Revolution who require visitors to register; that a guard is on duty to regulate attendance as well as protect the relics; that the register records that not over 60 persons visit the entire Fraunces Tavern exhibits per day.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 1085-40 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objections Nos. 2 and 11, *on condition* that the premises shall be altered and rearranged substantially as indicated on plans filed with the borough superintendent; that the existing opening on the first story to the building to the north and the proposed opening on the third story to the building to the north shall be protected with approved labelled underwriters fire doors on either side; that the proposed exterior stairway shall extend to the roof and be not less than three feet in width and shall exit to the building to the south, from which an unimpeded exit to Water street may be had at all times while this building is being occupied; that such passageway during such occupancy shall have no locked doors and that electric lighting shall be maintained therein; that all windows on the course of the fire escape shall be fireproof and self-closing; that the roof of the one-story extension shall be constructed of fireproof materials and surfaced with approved weather surfacing with no skylights; that the stairway from the third story to the roof shall be maintained and access from such roof provided over the roof of the building to the north and thence by existing stairways to street; that the ceilings throughout shall be fire-retarded with wire lath and $\frac{3}{4}$ -cement unsanded gypsum plaster; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that this modification shall continue only so long as the building is occupied as proposed.

539-40-A.

APPLICANT—Max Gladstone, for Avonshire Estates, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—78-57 223rd street, east side,

54 ft. north of Union turnpike (Block No. 7780, Lot No. 1)), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Max Gladstone and S. Rosenberg.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4
Negative 0

THE RESOLUTION—

(539-40-A)

WHEREAS, Max Gladstone for Avonshire Estates, Inc., owner, filed May 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 78-57 223rd street, east side, 54 ft. north of Union turnpike (Block No. 7780, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 2875-40, dated May 10, 1940, reads:

"The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consists of a plot 50.03 ft. by 100 ft. in area, upon which it is proposed to erect a two-story frame dwelling 24 ft. in height, 25 ft. 2 in. by 39.2 ft. in area and a detached garage, 11 ft. in height, 11 ft. 2 in. by 20 ft. 2 in. in area. It is proposed to occupy the building as a one-family dwelling; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical; that since the applicant does not own the street for its entire length it is impossible to obtain a change of zone within a short time; that the building will be surfaced on the exterior with four inches of brick on the first story, and stucco or brick on the second story; that roofs will be surfaced with slate; that the distance between the buildings on this and other lots will be at least 11 ft.; that the entire block will be built up with houses of similar construction.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2875-40 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the proposed frame building, *on condition* that the building shall be restricted to residential use and for one-family occupancy; that in all other respects the building shall comply with the requirements of the Administrative Code for buildings erected outside the fire limits; that the building and attached garage shall be brick veneered for the height of one story; that the requirements of the building zone resolution for an F area district shall be complied with except that one side yard need not be over five feet in width, provided the distance between the building under appeal and the building on the adjoining lot is not less than 10 feet, except that steps and open porches may extend into such yards for a distance of not over 5 feet; and *on further condition* that, as represented on plans filed with this appeal, the lot adjoining, facing on Union turnpike, shall be used for residential purposes only.

540-40-A

APPLICANT—Max Gladstone, for Avonshire Estates, Inc., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—78-58 223rd street, west side, 50 ft. north of Union turnpike (Block No. 7779, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Max Gladstone and S. Rosenberg.

For Administration: Joseph Ferro, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—
(540-40-A)

WHEREAS, Max Gladstone for Avonshire Estates, Inc., owner, filed May 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 78-58 223rd street, west side, 50 ft. north of Union Turnpike (Block No. 7779, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Application No. 2876-40, dated May 10, 1940, reads: "The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 53.37 ft. by 101.2 ft. average area, upon which it is proposed to erect a two-story dwelling, 24 ft. in height, 25 ft. by 39.2 ft. in area, and a detached garage 10 ft. by 20 ft. 2 in. in area. It is proposed to occupy the building as a one-family dwelling; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical; that since the applicant does not own the street for its entire length, it is impossible to obtain a change of zone within a short time; that the building will be surfaced on the exterior with 4 inches of brick on the first story, and stucco or brick on the second story; that roofs will be surfaced with slate; that the distance between the buildings on this and other lots will be at least 11 ft.; that the entire block will be built up with houses of similar construction.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 2876-40 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the proposed frame building, *on condition* that the building shall be restricted to residential use and for one-family occupancy; that in all other respects the building shall comply with the requirements of the Administrative Code for a building erected outside the fire limits; that the building and attached garage shall be brick veneered for the height of one story; that the requirements of the building zone resolution for an F area district shall be complied with except that one side yard need not be over five feet in width, provided the distance between the building under appeal and the building on the adjoining lot is not less than ten feet, except that steps and open porches may extend into such yards for a distance of not over five feet; and *on further condition* that, as represented on plans filed with this appeal, the lot adjoining, facing on Union turnpike, shall be used for residential purposes only.

612-39-A.

APPLICANT—A. Walwyn Laurie, for Estate of John V. McCaffrey, owner (August Reisdorf, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decision of the borough superintendent of buildings.

PREMISES AFFECTED—2739 Bedford avenue, northeast corner of Farragut road (Block No. 5225, Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Walwyn Laurie and Betty White.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—
(612-39-A)

WHEREAS, Charles H. Richter, for Estate of John V. McCaffrey, owner (August Reisdorf, lessee), filed on May 10, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 2739 Bedford avenue, northeast corner of Farragut road (Block No. 5225, Lot No. 2), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Application 784-39, dated April 10, 1939, reads:

"1. Convalescent home in a non-fireproof building over 20 ft. 0. in. in height is contrary to Section 4.2.1 of Code. (Convalescent home is construed as a hospital.) Application is hereby denied."

and

WHEREAS, the building is two stories and attic (32 ft.) in height, 37 ft. by 48 ft. in area, of non-fireproof construction; located in a residence use "E" area district, on a plot 50 ft. by 100 ft. in area; occupied since 1938: cellar, ordinary use, laundry, mortuary; first story, lessee's apartment, office and reception room; second floor, convalescent home; attic, bedrooms; it is proposed to occupy the building as at present except the attic which will be used for storage; and

WHEREAS, Violation No. 1561-39 was issued March 9, 1939, on account of changing the occupancy of the building from one-family dwelling to Convalescent Home for the Aged, without obtaining a certificate of occupancy; and

WHEREAS, the applicant contends that this building is admirably suited for a Convalescent Home, but under the Code the height of a non-fireproof building with this occupancy is limited to 20 feet and the present height from ground to second story ceiling is 23 feet; and

WHEREAS, this appeal was granted by the Board May 31, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on May 31, 1939 be and it hereby is *amended*, only so far as it has reference to the number of patients permitted to be accommodated, so that as amended the resolution shall read:

"*Resolved*, that the decision of the borough superintendent, on Alt. Application No. 784-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the use of the building as proposed, *on condition* that only the first and second stories shall be so used; that the third or attic floor shall be unused at all times except for storage; that the total number of patients accommodated shall at no time exceed twenty (20); that the cellar ceiling shall be fire-retarded throughout and there shall be a fireproof self-closing door at the stairs leading to the cellar, unless the stairs are enclosed in fire-retarded partitions with a fireproof self-closing door at the foot; that such fire-fighting appliances shall be maintained as the commissioner shall direct; that an exterior 45 degree fire escape shall be constructed, as shown, as a second means of exit from the second story, with fireproof windows on the course of the fire escape; that in the event the frames and sash on the windows on the first story under the proposed fire-escape are either hardwood or covered with metal, the requirements of this resolution as to fireproof windows may be waived, provided the sash are glazed with wire plate glass for the full size of the sash."

188-40-A.

APPLICANT—George M. Malcolm, for Department of Public Works, City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond.

MINUTES

APPEARANCES—

For Applicant: Arthur Graves.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(188-40-A)

WHEREAS, George M. Malcolm, for Department of Public Works, City of New York, owner, filed February 19, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises northeast corner of Clarke avenue and St. Patrick's place (Block No. T-1187, Lot No. 2), Richmond, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 9-40, dated January 29, 1940, reads:

"1. This proposed increase in height, which would exceed the tabular height stated in code, is therefore not permitted, (C26-255.0)).

2. Two stairways with fireproof inclosures are required remote from each other. (Art. 8, Sec. 152, Old Code C26-273.0, b3).

4. Present stairway does not comply in addition as follows:

(b) Stairs are of insufficient width.

5. The second open stairway is illegal for it connects more than two stories (C26.292.0, 1).

6. The second floor must have an opening into the enclosed stairway. (C26-273.0, 4).

9. Stack enclosures have insufficient protection;

(a) Smoke stack should be of No. 10 gauge and enclosure of 8 inch masonry;

(b) Vent stacks should be enclosed in 3 hr. shafts;

(c) All shafts should continue to roof.

(C26-711.0 & C26-262.0).

10. Steel as shown appears weak. (C26-368.0)."

and

WHEREAS, the building is 3 stories and basement (47 ft.) in height, 42 ft. by 93 ft. 3 in. in area on a plot 551 ft. by approximately 190 ft. irregular in area, of Class 3 construction; located in a residence use B area district; erected in 1905 and proposed to be altered to four stories and basement, 52 ft. in height and to be occupied as follows: cellar, jail and service, 4 persons; first floor, jail, 20 persons; second and third floors, same; fourth floor, kitchen, dining room, recreation room and 8 chambers, 8 persons; and

WHEREAS, the applicant contends as to Objection No. 1 that the tabular height limits in the code applies to all Class 3 buildings where the interior framing may be wholly of wood; that this structure is framed entirely with incombustible materials (steel, concrete and tile); that it cannot be encased in fire-resistive protection because of shape and assembly of same; that the additional story will not add any actual floor area, but will render the attic floor more usable; that as to Objection Nos. 2 and 4-b, the addition of further means of egress in a building where the occupancy will not be increased by more than six persons, would defeat the principle of efficient jail planning, which is to secure detention and its control; that as to Objection No. 5, this stairway occurs in the jail detention area only where there is no combustible material stored except the prisoners' clothing and bedding; that the stairway has been left open to afford clear vision in the interest of effective supervision; that as to Objection No. 6, while this objection could be complied with structurally, it would reduce the security of the jail and its superintendence; that egress is now had through the service stair to the first floor; that as to Objection No. 9, it is proposed to insert a 5 ft. vertical section in the existing vent and smoke stacks identical in material, weight and size to present work; that the present stacks

are in sound condition and are functioning satisfactorily and are enclosed in 3/16 inch steel on the first, second and third stories; that it is proposed to erect a partition around the same on the 4th floor, consisting of 3 inch gypsum block plastered on both sides; that as to Objection No. 10, the present interior vertical structural support within the detention area consists of 3/16 inch thick steel cell walls, reinforced, stiffened and joined by steel angles securely riveted at all connections; that the present attic story has been used for storage and the water tank with approximately 3,000 gallon capacity because this construction has been in place about 35 years and computations and calculations of its strength are extremely difficult; that it is proposed that the alteration plans be approved, subject to a load test on this floor area under conditions prescribed by the superintendent; and

WHEREAS, this appeal was granted by the Board February 27, 1940 on certain conditions; and

WHEREAS, the applicant under date of May 13th, 1940, asked for further consideration as to Objection No. 11 not previously appealed from and stated that the floor of the fourth floor was of fireproof construction, and requested that the ceiling should be permitted to be fire-retarded with metal lath and cement plaster; and

WHEREAS, the applicant states that the roof is constructed of 2 inch gypsum plank protected by natural slate shingles.

Resolved, that the resolution adopted by the Board on February 27, 1940, be and it hereby is amended, so that as amended the resolution shall read:

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 9-40, Objections 1, 2, 4, 5, 6 and 9, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall not be increased in height or area or other than as now proposed; that there shall be installed in the attic story, or fourth story as reconstructed, a sprinkler system complying with all the requirements of the building code therefor except that it may be fed from the domestic water supply of the building and need not have a siamese connection and provided the standpipe system is maintained throughout the building in accordance with the requirements of the building code therefor; that the smoke stack shall be further protected by 8 inches of brick masonry; that as to Objection No. 10, the superintendent of buildings may determine the permitted load per superficial foot after load tests have been made as may be required by him or as figured by structural analysis; and, granted only so long as the building is continued in its present occupancy as proposed; that as to Objection No. 11, the ceiling of the 4th floor shall be fire-retarded by metal lath and metal purlins with 3/4 inches of unsanded cement plaster.

221-40-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street to 138 ft. west of the west side of Truxton street, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

MINUTES

Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION— (221-40-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed March 1, 1940, an appeal from a decision of the borough superintendent of buildings, affecting premises west side of Cabot street to 138.0 ft. west of the west side of Truxton street, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on F.P. Applic. No. 698-1939, dated March 7, 1940, reads:

"3. Provide a yard hydrant for each twenty thousand square feet of area. Sec. 16.9, Par. d.

4. Submit statement from Department of Water Supply, Gas and Electricity, showing compliance with Sec. 16.6.3.1 or provide tank or fire pump (16.9). Yard hydrant system to have a direct connection to a main independent of sprinkler main.

5. Show that a maximum distance between hydrants is 250 ft. (16.9).

7. Provide monitor nozzles as may be required by the Superintendent. 16.9 Par. 6.

15. Number of siamese connections to be satisfactory to Superintendent. Sec. 16.4.8.1."

and

WHEREAS, the premises consist of a plot 702 ft. by 1345 ft., irregular in area, upon which is erected a group of buildings used for the manufacture of gypsum blocks; and

WHEREAS, it is proposed to install a yard hydrant system with two sprinkler installation connections, as shown on plans filed with this appeal; the proposed yard hydrant system will be connected to an 8-inch city main on Oak Point avenue, fed two ways; and

WHEREAS, the applicant has filed a report of a test made by the Department of Water Supply, Gas and Electricity, indicating a static pressure of 43 lbs. per sq. in. on the hydrant located on Oak Point avenue; and

WHEREAS, the applicant contends that the plant and type of construction are not hazardous to the extent that a yard hydrant system would be required by the code; that the only combustible material stored on the premises will be newspaper stored in a space about 30 ft. by 60 ft. on the first floor of the Board Mill, paper bags stored in a space about 40 ft. by 50 ft. on the first floor of the Mixer Building, and wood fibre in bales stored in a space about 30 ft. by 50 ft. on the second floor of the Block Plant; that all of the spaces are to be equipped with sprinkler systems connected to approved yard hydrant systems, as shown on plans filed with this appeal; and

WHEREAS, this appeal was granted by the Board March 26, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 26, 1940, as to the date of plan referred to in the resolution, so that as amended the resolution shall read:

"*Resolved*, that the decision of the borough superintendent on F.P. Applic. No. 698-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Items 3, 4, 5, 7 and 15, *on condition* that the yard hydrant system shall be installed substantially as shown on plan labeled 'Underground fire protection system, Contract No. 787, Drawing No. N.Y.W. 52', marked 'Received May 21, 1940,' which plan is represented as complying with the requirements of the Associated Factory Mutual Fire Insurance Companies; *further on condition* that a post indicator valve shall also be installed at the northerly line of the property at Oak Point avenue; that in all other respects the layout as proposed, shall be installed and maintained to the satisfaction of

the fire commissioner; that the water pressure shall be as certified to by the Department of Water Supply, Gas and Electricity; that the monitor nozzles may be omitted; and, *granted* only so long as the plant is occupied by the National Gypsum Company or their successors for the general manufacture of gypsum products; that in all other respects the buildings and occupancies shall comply with all laws, rules and regulations applicable thereto, as modified by the Board under Cal. Nos. 701-39-A, 1096-39A, 1097-39-S, 120-40-A and 121-40-S."

VARIATION OF THE LABOR LAW

111-40-S.

APPLICANT—Art Steel Company, Inc. (lessee), for Abureley Corporation, owner.

SUBJECT—Variation from the requirements of the Labor Law as cited in an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—300-306 East 145th street, southwest corner of College avenue (Block No. 2325, Lot No. 14), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Burger.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(111-40-S)

WHEREAS, Art Steel Company, Inc. (lessee) for Abureley Corporation, owner, filed January 29, 1940, an application for a variation from the requirements of the Labor Law as cited in an order and a decision of the borough superintendent of buildings; premises 300-306 East 145th street, southwest corner of College avenue (Block No. 2325, Lot No. 14), Borough of The Bronx; and

WHEREAS, Violation No. 148-39, issued by the borough superintendent January 18, 1939, reads:

"You will please take notice that there exists a violation of Section 272 of the Labor Law at the premises hereinafter described, in that

The Window openings, first story north and east sides of the building are obstructed by stationary wire mesh.

REMEDY: Remove and reset wire mesh, first story north and east sides. Make same readily movable or removable from both sides."

and

WHEREAS, the building is 4 stories in height, 90 ft. by 125 ft. in area; of mill construction; located in an unrestricted use district; erected in 1930 and occupied: first story, office and factory, 38 persons; second story, factory, 44 persons; third story, storage and machinery room, 6 persons; fourth story, painting and assembly, 32 persons. The building is equipped with a standpipe system, an interior fire alarm system and fire drills are maintained therein. There are also two interior fireproof stairs leading from roof to street; and

WHEREAS, the applicant contends that there are adequate means of egress from the first story; that due to the character of the neighborhood, it has been absolutely necessary to install window gratings in order to prevent acts of vandalism; that the purpose of the requirements in Section 272 of the Labor Law was to provide adequate egress, and in view of the egress conditions in the building, a variation of the Labor Law requirements is respectfully requested.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, modifying the decision of the borough superintendent as to Violation No. 148-39, and that the application be and

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it hereby is *granted on condition* that the legal means of exit to both College avenue and 145th street and the overhead rolling doors to each street shall be maintained so as to be readily openable at all times during working hours; that no partition shall be installed within the factory, in addition to those shown within the first floor, unless any room formed by such partition is provided with two means of exit from such space, remotely located; that in all other respects the building and occupancy shall comply with the requirements of the Labor Law and with all other laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL.

1193-21-SA.

APPLICANT—Quimby Pump Company, owner.

SUBJECT—Application for consideration—amendment of resolution—to include sizes $5\frac{1}{4}$ ", 6", 7" and 8" Quimby Screw Pump units (sizes 2", $2\frac{1}{2}$ ", 3", $3\frac{1}{4}$ ", $3\frac{1}{2}$ " and 4", previously approved).

APPEARANCES—

For Applicant: Richard Newell.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1193-21-SA)

WHEREAS, the Quimby Screw Pump, sizes 2", $2\frac{1}{2}$ ", 3", $3\frac{1}{4}$ ", $3\frac{1}{2}$ " and 4" was approved by vote of the Board June 20, 1922, for general use in fuel oil burning installations; and

WHEREAS, the resolution was amended March 18, 1932 to permit the use of a hand pump primer; and

WHEREAS, the owner requested a further amendment of the resolution to include approval of additional sizes; and

WHEREAS, this application was reopened and referred to the committee on tests, for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re Cal: 1193-21-SA.

May 20, 1940

The Quimby Pump Company of Newark, N. J., filed a request on April 11, 1940, to include additional sizes of pump units similar to those approved by the Board on June 20, 1922, Cal. No. 1193-21-SA, to be used as pump units between burner and oil storage tanks in bulk oil plants.

A representative of the Committee on Tests examined the details of construction of the sizes 2", $2\frac{1}{2}$ ", 3", $3\frac{1}{4}$ ", $3\frac{1}{2}$ ", 4" (previously approved) and also the sizes $5\frac{1}{4}$ ", 6", 7" and 8", and found them to be identical in design and arrangement as previously approved, only larger in proportion as required to give greater performance.

There has been no change in the design or construction of the pump which is steel construction with two sets of screws mounted on horizontal shafts operating in opposite directions to equalize thrust pressure, the oil entering from each end of the pump and being delivered from the center, the screws intermeshing at the center line of pump, the screws thus operating in opposite directions. The pump will stand pressure up to 1000 with negligible pressure stuffing box and bearings. The pump is constructed in sizes 2", $2\frac{1}{2}$ ", 3", $3\frac{1}{4}$ ", $3\frac{1}{2}$ ", 4" (previously approved) and additional sizes $5\frac{1}{4}$ ", 6", 7" and 8". The pump will operate with oils of not greater than 15,000 SSV, Viscosity Saybolt units.

On the basis of the foregoing data, it is recommended that the resolution of the Board be amended so as to include approval of the Quimby Pump in sizes $5\frac{1}{4}$ ", 6", 7" and 8", on condition that the appliance bear a label permanently affixed reading: "Approved by the Board of Standards and

Appeals for use in New York City under Cal. No. 1193-21-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution to include approval of the additional sizes.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 20, 1922, so that as amended, it shall read:

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Quimby Screw Pump, sizes 2", $2\frac{1}{2}$ ", 3", $3\frac{1}{4}$ ", $3\frac{1}{2}$ ", 4", $5\frac{1}{4}$ ", 6", 7" and 8", on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

357-37-SM.

APPLICANT—Chase Brass and Copper Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Chase Brass and Copper Company, Inc. Oil Burner Tubing, Type K.

APPEARANCES—

For Applicant: F. R. Meier.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative ...	0

THE RESOLUTION—

(357-37-SM)

WHEREAS, the Chase Brass and Copper Company, Inc., owner, filed July 13, 1937, an application with the Board of Standards and Appeals for approval of their material known as the "Chase Brass and Copper Co. Oil Burner Tubing" Type K in nominal sizes $\frac{3}{8}$ in. and $\frac{1}{2}$ in. of a wall thickness .049 inches and in nominal sizes $\frac{3}{4}$ in., 1 in. and $1\frac{1}{4}$ in. of a wall thickness of .065 inches and $1\frac{1}{2}$ inch of a wall thickness .072 inches and 2 inch of a wall thickness .083 inches; and

WHEREAS, this material was approved by vote of the Board July 20, 1937, in accordance with the report of the engineer; and

WHEREAS, this application was reopened and the resolution amended October 3, 1939, to include approval of additional nominal sizes $\frac{5}{16}$ in. and $\frac{7}{16}$ in. of a wall thickness .049 inches; and

WHEREAS, the applicant requested a further amendment of the resolution to include approval of additional sizes; and

WHEREAS, the report of the committee on tests on these additional sizes reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 357-37-SM

May 15, 1940

Subject: Chase Brass and Copper Co.
Oil Burner Tubing.

The Chase Brass and Copper Company of Waterbury, Conn., filed a request on November 27, 1939 for the addition of two additional sizes of tubing. The specifications of these two sizes are as follows:

$\frac{1}{4}$ " O.D.	.049 wall thickness	.119 Lbs./ft.
$\frac{3}{8}$ " O.D.	.049 wall thickness	.195 Lbs./ft.

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These sizes have also been tested and approved by the Underwriters' Laboratories for use with oil burners, see Reexamination Procedure MH-2513, Volume I, May 3, 1937.

On the basis of this data, the committee recommends the reopening of the resolutions dated July 20, 1937, and October 3, 1939 and that they be amended to include the additional sizes of $\frac{1}{4}$ " O.D. and $\frac{3}{8}$ " O.D., as described herein, on condition that the $\frac{1}{4}$ " O.D. tubing be *limited* for use as an integral part of the burner assembly and not to be used as a supply line from tank to burner. In all other respects, the requirements of the original approvals shall be complied with.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES A. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended reopening of the application and amendment of the resolution to include approval of the additional sizes; and

WHEREAS, this application was reopened by vote of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 20, 1937, as amended October 3, 1939, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* material known as Chase Brass and Copper Company Oil Burner Tubing Type K in nominal sizes of $\frac{1}{4}$ in., $\frac{3}{8}$ in., $\frac{5}{16}$ in., $\frac{7}{16}$ in. and $\frac{1}{2}$ in. of a wall thickness .049 inches; in nominal sizes of $\frac{3}{4}$ in., 1 in. and $1\frac{1}{4}$ in. of a wall thickness of .065 inches; $1\frac{1}{2}$ in. of a wall thickness .072 inches, and 2 in. of a wall thickness .083 inches; all tubing to be stamped with the name and type every 12 - 14 in., for use in New York City where copper tubing of this diameter and weight is required to be used, and *on condition* that the material be used in accordance with the above report, and that in all other respects, the requirements of the previous reports be complied with."

545-38-SM

APPLICANT—Structural Gypsum Division, American Cyanamid and Chemical Corporation, owner.

SUBJECT—Gypsteel Precast Short Span Gypsum Roof Slabs—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

THE RESOLUTION—

(545-38-SM)

WHEREAS, The American Cyanamid and Chemical Corporation, owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as Gypsteel Precast Short Span Reinforced Gypsum Roof Tile; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

May 15, 1940

Cal. No. 545-1938-SM

GYPSTEEL PRECAST SHORT SPAN REINFORCED GYPSUM ROOF SLABS

The American Cyanamid and Chemical Corporation of

New York City filed an application on June 27, 1938 with the Board of Standards and Appeals for the approval of their GYPSTEEL Precast Short Span Reinforced Gypsum Roof Tile, under Section C26-619.0b (10.3.1), C26-625.0 (10.3.7), and C26-626.0 (10.3.8) for use on sub-purlins on horizontal and sloping roofs. GYPSTEEL Short Span Tile are made from processed or synthetic gypsum complying with A. S. T. M. C-22-25 and produced under constant laboratory control. It exceeds the requirements when tested as provided for in A. S. T. M. C26-39.

All GYPSTEEL Short Span Tile is manufactured in steel moulds from a composition consisting of gypsum with which has been intimately machine-mixed not more than 3% wood planer shavings. The Solid Tile are reinforced with $\frac{3}{16}$ " cold-drawn steel rods. The Hollow Tile are reinforced with similar rods which have been deformed. All rods are located $\frac{1}{2}$ " above the bottom of the tile. All tile are 30" long. The 3" thick Solid Tile, 24" wide, is reinforced with three rods spaced 4" from each end with the third rod located in the middle of the slab width. The $2\frac{1}{2}$ " thick Solid Tile is 24" wide and is reinforced with four rods spaced one at each end and the remaining two equidistant from the edge rods. The 3" thick Hollow Tile is 12" wide and is reinforced with three rods spaced one at each edge and the remaining rod located at middle of slab width. It contains four round cores approximately 1.83" in diameter running lengthwise. These materials were subjected to tests by Columbia University with results as follows:

3" Solid GYPSTEEL Precast Slabs

Lab. No.	Width	Thickness	Distance Between Supports	Max. Load
28031	24.25"	3.05"	29.5"	1,373 lbs.*
28032	24.25"	3.10"	29.5"	1,993 lbs.
28033	24.25"	3.10"	29.5"	1,626 lbs.

* This value, selected for purpose of determining carrying capacity, which is 275 pounds per square foot ultimate based on third point loading. On the basis of a simple span the permitted live load would be 68 pounds per square foot.

$2\frac{1}{2}$ " Solid GYPSTEEL Precast Slabs

Lab. No.	Width	Thickness	Distance Between Supports	Max. Load
28339	23.6"	2.55"	28.75"	1,858 lbs.*
28340	24.0"	2.60"	28.45"	2,123 lbs.
28341	24.0"	2.50"	28.33"	2,158 lbs.

* This value, selected for purpose of determining carrying capacity, which is 365 pounds per square foot ultimate based on third point loading. On the basis of a simple span the permitted live load would be 91 pounds per square foot.

3" Hollow GYPSTEEL Precast Slabs

Lab. No.	Width	Thickness	Distance Between Supports	Max. Load
48892	12.02"	3.02"	28.0"	1,734 lbs.
48893	12.02"	3.01"	28.0"	1,196 lbs.*
48894	12.00"	3.01"	28.0"	1,481 lbs.
48895	12.00"	3.00"	28.0"	1,962 lbs.
48896	12.02"	3.00"	28.0"	1,819 lbs.

* This value, selected for purpose of determining carrying capacity, which is 480 pounds per square foot ultimate based on third point loading. On the basis of a simple span the permitted live load would be 120 pounds per square foot.

On the basis of the foregoing data the Committee recommends the approval of

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1. GYPSTEEL 3" Solid Precast Short Span Reinforced Gypsum Roof Tile

2. GYPSTEEL 2½" Solid Precast Short Span Reinforced Gypsum Roof Tile

3. GYPSTEEL 3" Hollow Precast Short Span Reinforced Gypsum Roof Tile under C26-626.0 (10.3.8) for loads based on the requirements for roof loads as provided in C26-347.0 (7.3.2.5) and under C26-625 (10.3.7) in Special Roof Construction as provided therein. Approval is also recommended under C26-619.0 (10.3.1) for roofs of Class 1 and Class 2 Construction where the fire-protective covering is permitted to be omitted from roof trusses as provided in C26-618.0b (10.2.8). In all cases, not less than 1" bearing shall be provided and that the tile shall be supported at each end.

It is further recommended that this material be labeled, stamped or marked "Approved by the Board of Standards and Appeals for Use in New York City, Cal. No. 545-1938-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gypsteel Precast Short Span Reinforced Gypsum Roof Tile, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

1240-39-SM.

APPLICANT—J. A. Zurn Manufacturing Company, owner.

SUBJECT—Supremo Cleanout Fitting (Plumbing), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

1241-39-SM.

APPLICANT—J. A. Zurn Manufacturing Company, owner.

SUBJECT—Zurn V-E-L Three-Inch Closet Connection (Plumbing), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

1384-39-SM.

APPLICANT—Crane Company, owner.

SUBJECT—Crane C-12785 Saxonet Closet Bowl with C-13558 Six-Gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(1384-39-SM)

WHEREAS, Crane Company, owner, filed November 10, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Crane C-12785 Saxonet Closet Bowl with C-13558 Six-Gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 1384-39-SM.

Subject: Approval of Crane C-12785 Saxonet Closet Bowl with C-13558 Six-Gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker.

The Crane Company, owner, filed November 10, 1939, an application with the Board of Standards and Appeals for approval of the Crane C-12785 Saxonet Closet Bowl with C-13558 Six-Gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker under the provisions of C26-1277.0 h (14.8.2.9) and i (14.8.2.9), Administrative Building Code.

The closet combination consists of a Saxonet vitreous china washdown closet bowl with jet, plain rim and 2-inch back inlet spud and an Ipswich six-gallon vitreous china low tank with Scovill Type "S" bottom supply float valve with vacuum breaker and copper float; 2-inch flush valve with rubber ball; operating lever with chromium plated metal handle; 2-inch chromium plated brass elbow flush connection with chromium plated brass spud covering flange; ¾-inch chromium plated brass supply pipe to floor with chromium plated escutcheon; wood seat with cover, closed front and square back with chromium plated bar hinge.

The tank has a capacity of six gallons, with active discharge of five gallons, when flushed. This unit was inspected and tested at the showrooms of the company at 279 Madison avenue and found to operate satisfactorily. The Scovill Type "S" Float Valve and Vacuum Breaker was approved by the Board under Cal. No. 109-39-SA.

On the basis of this inspection and test it is recommended that the Crane C-12785 Saxonet Closet Bowl with C-13558 Six-Gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker be approved for use in New York City on condition that the unit bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 1384-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Crane C-12785 Saxonet Closet Bowl with C-13558 Six-Gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

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1441-39-SM.

APPLICANT—Ernest Bocchino (agent), Exit Safety Device Corporation, owner.

SUBJECT—Safety Type Drop Ladder for Fire Escapes, approval of.

APPEARANCES—

For Applicant: Ernest Bocchino.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative 4
0

Note:

The report of the Committee on Tests and the resolution of the Board relative to the approval of the Safety Type Drop Ladder for Fire Escapes will be printed in a subsequent issue of the Bulletin, pending the submission by the applicant of a drawing capable of reproduction for Figure 1 referred to in the report of the Committee on Tests.

1539-39-SM.

APPLICANT—Borg and Hill, Incorporated (agents), for MacDonald Hardware Manufacturing Company, owner.

SUBJECT—Kramer Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval denied.

THE VOTE TO APPROVE—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(1539-39-SM)

WHEREAS, Borg and Hill, Incorporated (agents), for MacDonald Hardware Manufacturing Company, owner, filed December 26, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Kramer Vacuum Breaker; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 1539-39-SM

Subject: Approval of Kramer Vacuum Breaker.

Borg and Hill, Incorporated, agents for MacDonald Hardware Manufacturing Company of San Francisco, California, filed December 26, 1939, an application with the Board of Standards and Appeals for approval of the Kramer Vacuum Breaker under the provisions of C26-1227.0 (14.8.2.8), Administrative Building Code, and the Submerged Outlet Rules of the Board of Standards and Appeals.

This vacuum breaker was tested at the testing bench of the Department of Water Supply, Gas and Electricity at 32 Vandewater street on April 11, 1940, in the presence of Mr. H. Plasse, representing the owner, and the representative of the Department of Water Supply, Gas and Electricity and of the Board of Standards and Appeals.

The unit tested was a vacuum breaker for flushometer outlets only, the mechanical principle being a diversion plate incorporated in the main housing to develop back pressure in a channel of approximately 7/16 inch diameter, located on the side of the unit where the developed back pressure is designed to close an airport by the operation of a brass, reinforced rubber disc. The unit on

being subjected to a vacuum the equivalent of 28 inches of mercury, siphoned simulated contaminated water from the flush bowl of the water closet into the test bench riser.

This test indicates that the Kramer Vacuum breaker does not warrant approval under the requirements of C26-1227.0 (14.8.2.8), Administrative Building Code, and disapproval is recommended.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report does not recommend approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *disapprove* the material known as the Kramer Vacuum Breaker.

98-40-SM.

APPLICANT—Dahlstrom Metallic Door Company, owner.

SUBJECT—Dahlstrom Three Hour Hollow Metal Fire Door, approval of.

APPEARANCES—

For Applicant: C. C. Pinder.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative 4
0

Note:

The report of the Committee on Tests and the resolution of the Board relative to the approval of the Dahlstrom Three-Hour Hollow Metal Fire Door will be printed in a subsequent issue of the Bulletin, pending the submission by the applicant of drawings capable of reproduction for Figures 1, 2 and 3 referred to in the report of the Committee on Tests.

Recessed at 5:20 P.M., to Wednesday, May 22, 1940, at 10 A.M.

Reconvened Wednesday, May 22, 1940, at 10 A.M.; adjourned 11:50 A.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on July 11, 1939, as they appeared in Bulletin No. 29, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(595-30-BZ)

WHEREAS, Diamond Evangelist, owner, filed, September 16, 1930; denied February 17, 1931; reopened under new state of facts June 13, 1933, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn; and

WHEREAS, this application was granted by the board November 8, 1933, on certain conditions, time to complete extended January 23, 1934, resolution amended April 24, 1934, July 17 1934, January 18, 1938 and April 4, 1939, and present owner requests a further amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does

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hereby amend its resolution of November 8, 1933, as amended by resolution of January 23, 1934, and January 18, 1938, only so far as it has reference to the term of the permit and the completion of the work, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21, for a period of five years from January 18, 1938, to permit a variance of the zoning resolution for a gasoline service station on the plot at the corner of Coney Island avenue and Avenue V, 100 ft. on Coney Island avenue and 50 ft. on Avenue V, *on condition* that there shall be erected on the interior lot lines of this plot an unpunctured brick wall, suitably coped, not less than 8 ft. in height, and that a similar wall shall be erected on the street line of Avenue V, out to the corner of Coney Island avenue; that this wall may, however, be racked back, starting with a height of 4 ft. at Coney Island avenue and be racked back at the rate of one foot in four; that there shall be no openings for the entrance of automobiles to this plot except from Coney Island avenue; that there shall be erected along the street building line of Coney Island avenue a concrete curb at least 6 in. in height and 12 in. in width with rounded top; that there shall be not over three openings therein, no opening to exceed 25 ft. in width and no part of any opening nearer than 10 ft. to the corner formed by the intersection of Coney Island avenue and Avenue V, nor within 5 ft. of the northerly line of this plot under appeal, with curb cuts opposite these openings not over 30 ft. in width; that the accessory buildings to be erected on this plot shall not exceed those shown on the plans filed with this application, consisting of an office and housing for grease racks, with fronts left open, that these buildings shall not exceed one story in height and the rear walls of these buildings may be incorporated in the rear lot line wall; that there shall be no excavation under these buildings except the greasing pits; that these buildings shall be constructed of incombustible materials; that the balance of the plot

shall be cement paved or covered with cracked blue stone; that any gasoline pumps that are erected shall be at least 10 ft. from the building line of Coney Island avenue and not nearer than 10 ft. to any part of an accessory building; that there shall be no portable gasoline pumps used on or from the property; that any signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps and to flat wall signs on the interior side of the lot line wall or against the fronts of the accessory buildings, no signs to be erected on the rear of the wall facing west or on the wall facing Avenue V, excluding all *roof and* temporary signs of every nature *but permitting the erection of a post standard inside the building line near the intersection, to support a sign which may be illuminated, advertising only the brand of gasoline on sale*; that illumination at night shall be by means of pipe standards not over 8 ft. in height with metal reflectors arranged to reflect downwardly so that they will be no nuisance at night to any residential buildings in the neighborhood; that no portion of the balance of the property owned by this applicant shall be used for non-conforming use; that there shall be no repairing of automobiles permitted on the premises; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution.

"Resolved, further, that the Board of Standards and Appeals does hereby *amend* its resolution of April 4, 1939 and hereby *approves* plans as being in general compliance with the design and arrangement as required under said resolution, *on condition* that if closure doors are installed on the greasing section, that no greasing pits shall be installed inside the building, but that the greasing equipment shall be of the hydraulic type; and permitting the roof construction to be fire-retarded, as shown, in lieu of the fireproof construction required under the resolution of the board of April 4, 1939, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals."

* *Correction*—The words "roof and" inserted in line 70 of resolution and the insertion of the words in italics, starting with line 71 of the resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939.
EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE
NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the New York City Charter and C26-1268.0c 4 (14.7.1.3 BC) and C26-1277.0h (14.8.2.8 BC), of the Administrative Code.

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping and checked by the inspector.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an

approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connection to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

APPROVED VACUUM BREAKERS

Name	Calendar No.	Name	Calendar No.
Beal Vacuum Breaker	685-39-SM	Murray and Sorenson Flush Valve Vacuum Breaker	494-39-SM
Bidoro Vacuum Breaker, Type D, sizes 1", 1 1/4", 1 1/2", 2", 2 1/2", 3", 3 1/2" and 4"	270-28-SA	Nibco Ace Type Back-Siphon Ball Cock	416-39-SM
Cadwell Syphon Breaker, Model 125	165-39-SA	Novac Flush Valve Vacuum Breaker	174-38-SA
Cadwell Syphon Breaker and Agitator, No. 115	370-39-SA	Penberthy Vacuum Breaker	1200-38-SA
Coldwater Brass Co. Anti-Back Syphonage Ballcock C.B.C., No. 136	439-39-SA	Scovill M. V. B. No. 22 Ballcock	942-38-SA
Crane Company Vacuum Breakers for Supply Fixtures, C-7830, sizes 3/8", 1/2", 3/4", 1", 1 1/4", 1 1/2", 2" and 3"	750-38-SA	Scovill "S" Vacuum Breaker Ballcock	109-39-SA
Crane Company Vigilant Vacuum Breaker	345-38-SA	Scovill Vacuum Breaker Ballcock, No. 18	515-39-SM
Delany Vacuum Breaker, Model DV-88	842-38-SA	Sloan Vacuum Breaker, Model V-60-A	167-38-SA
Delany Vacuum Breaker, Model DV-90	379-39-SA	Standard Sanitary Tank-Vacuum Breaker	208-39-SA
Hedges and Brother Pilot Vacuum Valve	186-39-SA	Vac-O-Vent, Model B	477-39-SM
Kohler K-9251 Float Valve and Vacuum Breaker	492-39-SM	Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel	351-38-SA
		Watts-Vacuum Breaker, No. 88	346-39-SA

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.
- 4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.
- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises. Such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

- NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.
- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
Rule 3.1 Air Exhaust System.
3.2 Air Supply and Mixing.
Rule 4.1 Construction of Spray Booths.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of Booths.
4.2.2 Maintenance of Ducts.
4.2.5 Electric Lighting.
4.2.6 Method of Induced Draft.
4.4 Separation of Booth from Flame.
4.4 Location of Motors.
Rule 5.1 Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
Rule 6. Storage and Mixing.
Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Cutting.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to June 4, 1940.

Cal. No. Department. Premises Affected.

580-40-SA.....Foster Wheeler Dowtherm Vapor
Generator, Appliance.

581-40-A.....F.D.....315 East 137th street, north side,
200 ft. west of Alexander ave-
nue (Block No. 2313, Lot No.
31), Borough of The Bronx,
Decision—re 20940-L.C.

582-40-A.....H.B.M....312-314 Bowery, west side, 40 ft.
4 in. south of Bleecker street
(Block No. 521, Lot No. 75),
Borough of Manhattan,
Alt. 498-40.

583-40-BZ....H.B.Bx...3096-3102 Webster avenue, south
side, 25 ft. west of East 204th
street (Block No. 3330, Lot
No. 68), Borough of The
Bronx,
Decision—re Certificate of
Occupancy.

584-40-A.....H.B.M....137-139 Riverside drive, southeast
corner of West 86th street
(Block No. 1247, Lot No.
57), Borough of Manhattan,
Alt. 2709-39.

585-40-A.....H.B.B....23-29 Delevan street, south side,
200 ft. west of Dwight street
(Block No. 523, Lot No. 14),
Borough of Brooklyn,
Alt. 2500-40.

586-40-SM.....Dresser Pipe Coupling, Style No.
38, manufactured by Dresser
Manufacturing Company,
Material.

587-40-A.....H.B.Bx...North side of Rikers Island, op-
posite Tiffany street (Block
No. 2760, part of Lot No. 4),
Borough of The Bronx,
F. P. Applic. 167-40.

588-40-A.....H.B.B....163 Bradford street, east side, 100
ft. north of Liberty avenue
(Block No. 3691, Lot No. 1),
Borough of Brooklyn,
Alt. 2325-40.

589-40-BZ....H.B.Q....135-60 234th place, northwest
corner of 137th avenue (Block
No. 3638, Lot No. 4), Rose-
dale, Borough of Queens,
Alt. 939-40.

590-40-BZ....H.B.R....7090 Amboy road, east side, 158
ft. south of Bethel avenue
(Block No. 7799, Lot No. 8),
Tottenville, Borough of Rich-
mond,
Decision—re B.N. 79-40.

591-40-BZ....H.B.Q....168-02 to 168-08 Liberty avenue
and 103-01 to 103-03 Merrick
boulevard, southeast corner
(Block No. 10221, Lot No.
7), Jamaica, Borough of
Queens, N.B. 2467-40.

592-40-BZ....H.B.Q....South side of Cherry avenue, 92
ft. east of Kissena boulevard
(Block No. 5192, driveway,
part of Lot No. 34 and inside
part of Lot No. 27), Flush-
ing, Borough of Queens,
N.B. 6406-39.

593-40-A.....H.B.Q....South side of Cherry avenue, 92
ft. east of Kissena boulevard
(Block No. 5192, driveway,
part of Lot No. 34 and inside
part of Lot No. 27), Flush-
ing, Borough of Queens,
N.B. 6406-39.

594-40-A.....F.D.....77 Elizabeth street, west side, 79
ft. 10 in. north of Hester
street (Block No. 238, Lot
No. 31), Borough of Manhat-
tan,
21553-L.C. and Decisions.

595-40-A.....F.D.....1602 Surf avenue, southwest cor-
ner of West 16th street
(Block No. 7073, Lot Nos. 1
and 14), Borough of Brook-
lyn, 83836-L.C.

596-40-A.....H.B.M....988 Second avenue, east side, 40
ft. north of East 52nd street
(Block No. 1345, Lot No.
2½), Borough of Manhattan,
Alt. 951-38.

597-40-A.....H.B.B....154 Henry street, west side, 19
ft. 3 in. north of Love lane
(Block No. 236, Lot No. 137),
Borough of Brooklyn,
Decision—re Revocation of
Certificate of Occupancy
No. 52286.

598-40-A.....F.D.....53-67 Forrest street, 52-66 Mon-
tieth street and 36-54 Ever-
green avenue (Block No.

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3142, Lot No. 1), Borough of
Brooklyn, 4751-L.F.

599-40-A.....H.B.B.....574 Ridgewood avenue, south-
west corner of Grant avenue
(Block No. 4135, Lot No.
36), Borough of Brooklyn,
Alt. 759-40.

Restored to Calendar.

636-20-BZ....H.B.B.....6502-6520 Fifth avenue, north-
west corner of 66th street
(Block No. 5827, Lot No.
27), Borough of Brooklyn,
Alt. 2126-40.

330-22-BZ....H.B.B.....1663-1669 East 17th street, east
side, 57 ft. 2½ in. south of
Kings highway (Block No.
6780, Lot No. 55), Borough
of Brooklyn,
Application 1525-38.

21-36-SA.....,Herco Oil Burner, Model P-5,
Appliance.

920-38-BZ....H.B.Q.....139-25 Springfield boulevard,
northeast corner of 140th ave-
nue (Block No. 3746, Lot No.
1), Springfield, Borough of
Queens, Alt. 989-40.

416-39-SA.....Nibco King Type Anti-Syphon
Ballcock, No. 09-A,
Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Jan. 16, 140—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9
Fire Alarm Rules (Interior)	Sept. 12, 1939—Vol. 24, No. 37
Fire Drill Rules	May 21, 1940—Vol. 25, No. 21
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	May 14, 1940—Vol. 25, No. 20
Fire Retarding Rules for Garages, etc.	Apr. 30, 1940—Vol. 25, No. 18
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Mar. 5, 1940—Vol. 25, No. 10
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 12, 1940—Vol. 25, No. 11
Oil Burner Rules	Mar. 26, 1940—Vol. 25, No. 13

Opening Protective Assemblies, Rules for Inspection of	Dec. 5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spray- ing Rules	May 28, 1940—Vol. 25, No. 22
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply)	May 28, 1940—Vol. 25, No. 22
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Oet. 10, 1939—Vol. 24, No. 41
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Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Mar. 26, 1940—Vol. 25, No. 13
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spray- ing Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	May 28, 1940—Vol. 25, No. 22

JUNE 4, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, June 4,*
1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 344-40-BZ—Application, April 4, 1940, under sec-
tion 21 of the building zone resolution,
of Maurice Courland, applicant, on be-
half of Jewish Center, Incorporated,
owner, to permit in a residence use
district and, also, "B" area district, the
erection of an extension to an existing
building; the proposed extension does
not comply with "B" area yard require-
ments; premises 131-135 West 86th
street, north side, 424 ft. east of Am-
sterdam avenue (Block No. 1217, Lot
No. 18), Borough of Manhattan.

CAL. NO. 347-40-BZ—Application, April 5, 1940, under sec-
tions 7g and 21 of the building zone
resolution, of Thomas W. Lamb, In-
corporated, applicant, on behalf of
Bowery Savings Bank and Estate of
Elizabeth A. Murtagh (Peter C. Mur-
tagh, trustee), owners, to permit in a
business use district the erection and
maintenance of a garage for more than
five (5) motor vehicles; premises 479-
495 Lexington avenue, east side, from
East 46th street to East 47th street.
127-149 East 46th street and 130-136
East 47th street (Block No. 1301, Lot
Nos. 20 to 28, inclusive, and 47 to 53,
inclusive), Borough of Manhattan.

CAL. NO. 82-40-BZ—Application, January 22, 1940, under
section 21 of the building zone resolu-
tion, of Lama and Proskauer, appli-
cants, on behalf of 501 Avenue R Cor-
poration, owner, to permit, partly in a

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residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58 East 18th street, west side, 161 ft. 9 $\frac{1}{8}$ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn.

CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of C. J. Johnson, applicant, on behalf of Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 312-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elizabeth Linden Kiley, owner (Dora Glicker, lessee), to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68 to 71, inclusive, and Lot No. 30), Borough of The Bronx.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson,

owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 4, 1940, 2 P. M.

Appeals from Administrative Decisions.

517-40-A—13-19 White street, southwest corner of Sixth avenue (Block No. 178, Lot No. 25), Borough of Manhattan.

526-40-A—6302 59th avenue (Hemlock street), southeast corner of 63rd (Hedwig) street (Block No. 2755, Lot No. 22), Maspeth, Borough of Queens.

457-40-A—512-A Nostrand avenue, west side, from Macon street to Halsey street, 29 Macon street and 86 Halsey street (Block No. 1843, Lot No. 20), Borough of Brooklyn.

497-40-A—349-355 Suydam street, north side, 225 ft. east of Irving avenue (Block No. 3210, Lot Nos. 51 to 54, inclusive), Borough of Brooklyn.

553-40-A—Re Transportation of Gasoline in Tank Truck (construction of tank not in accordance with Fire Department Specifications covering Gasoline Tank Truck) in New York City.

566-40-A—218-220 East 93rd street, south side, 135 ft. west of Second avenue (Block No. B-1538, Lot No. 12), Borough of Manhattan.

543-40-A—32-34 Westchester square, west side, 185 ft. 6-3/16 in. south of Frisby avenue (Block No. 3984, part of Lot No. 16), Borough of The Bronx.

557-40-A—102-09 to 102-11 Northern boulevard, north side, 80 ft. east of 102nd street (Block No. 279, Lot No. 39), Corona, Borough of Queens.

60-40-A—31-05 Ditmars boulevard, northwest corner of Second avenue (Block No. 846, Lot No. 67), Long Island City, Borough of Queens.

563-40-A—31-35 West 15th street, north side, 425 ft. west of Fifth avenue (Block No. 817, Lot No. 21), Borough of Manhattan.

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567-40-A—265 Greene street and 36-42 East 8th street, southwest corner (Block No. 548, Lot Nos. 12 to 15, inclusive), Borough of Manhattan.

582-40-A—312-314 Bowery, west side, 40 ft. 4 in. south of Bleecker street (Block No. 521, Lot No. 75), Borough of Manhattan.

552-40-A—1759 69th street, north side, 254 ft. 10 in. west of 18th avenue (Block No. 5576, Lot No. 63), Borough of Brooklyn.

579-40-A—Blocks bounded by north side of Bergen avenue, east side of Rochester avenue, south side of Pacific street, west side of Ralph avenue and east side of Ralph avenue, 190 ft. east, between Pacific and Dean streets (Block No. 1344, Lot Nos. 1 to 89, inclusive, Block No. 1345, Lot Nos. 1-12 and 44-80, Block No. 1351, Lot Nos. 1-77, and Block No. 1350, Lot Nos. 1 to 54, inclusive, Block No. 1438, part of Lot No. 1), Borough of Brooklyn.

541-40-A—450 Westchester avenue, south side, 125.36 ft. west of Brook avenue (Block No. 2294, Lot No. 49), Borough of The Bronx.

571-40-A—32-06 to 32-26 Bell boulevard, southwest corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens.

572-40-A—32-03 to 32-11 213th street, southeast corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens.

Variation of the Labor Law.

542-40-S—37-43 West 65th street, north side, 100 ft. east of Columbus avenue (Block No. 1118, Lot No. 5), Borough of Manhattan.

JUNE 11, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 11, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, ap-

plicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 179-40-BZ—Application, February 15, 1940, under sections 7a, 7b and 7c of the building zone resolution, of Slee and Bryson, applicants, on behalf of William R. Crowley, owner, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business use throughout; premises 92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn.

CAL. NO. 438-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Fannie Wolf, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

CAL. NO. 300-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Herman M. Cohn, applicant, on behalf of S. & B. Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station and, also, the parking of more than five (5) motor vehicles; premises 1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of Warden H. Fenton, applicant, Director, Bureau of Architecture, Department of Public Works, on behalf of City of New York, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a building (Fire House) not complying with "E" area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

CAL. NO. 252-40-BZ—Application, March 6, 1940, under section 21 of the building zone resolution, of William O. Staber, applicant, on behalf of Home Owners' Loan Corporation, owner, to permit in a residence use district and, also, "E" area district, the maintenance of a garage, accessory to the dwelling on the same lot, said garage not conforming with "E" area

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requirements as to the ten (10) foot setback from the street line; premises 25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens.

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.
HARRIS H. MURDOCK, *Chairman*

JUNE 11, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.
- 240-40-A—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.
- 493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.
- 174-40-A—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Block No. 611, part of Lot No. 1), Borough of Brooklyn.
- 495-40-A-WF—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.
- 1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.
- 1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.
- 1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.
- 1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.
- 124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.
- 545-40-A—633 West 125th street, north side, 418 ft. 6 in. east of Twelfth avenue, and 628-630 West 130th street (Block No. 1996, Lot No. 16), Borough of Manhattan.
- 575-40-A—383, 393 and 399 Seventh avenue, east side, entire block from West 31st street to West 32nd street, 157 West 31st street and 166 West 32nd street (Block No. 807, Lot No. 1), Borough of Manhattan.
- 462-40-A—1537-1553 Bedford avenue, 402-408 Eastern parkway, southeast corner, and 1131-1139 Union street (Block No. 1267, Lot No. 1), Borough of Brooklyn.
- 509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.
- 584-40-A—137-139 Riverside drive, southeast corner of West 86th street (Block No. 1247, Lot No. 57), Borough of Manhattan.
- 610-40-A—336-342 East 52nd street, south side, 150 ft. west of First avenue (Block No. 1344, Lot Nos. 33, 34, 34½ and 35), Borough of Manhattan.
- 547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.
- 550-40-A—786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn.
- 554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.
- 585-40-A—23-29 Delevan street, south side, 200 ft. west of Dwight street (Block No. 523, Lot No. 14), Borough of Brooklyn.
- 615-40-A—2035 Flatbush avenue, northeast corner of Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn.
- 587-40-A—North side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.
- 570-40-A-WF—109-23 World's Fair (Horace Harding) boulevard, northwest corner of Waldron street (Block No. 1969, Lot Nos. 7-9 and 11), Corona, Borough of Queens.
- 523-40-A—80-03 190th street, southeast corner of Union Turnpike (Block No. 7268, Lot No. 1), Jamaica Estates East, Borough of Queens.

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524-40-A—80-04 190th street, southwest corner of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens.

613-40-A—80-08 and 80-12 190th street, west side, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

JUNE 18, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 18, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No.

539, Lot No. 31), Borough of Manhattan.

CAL. NO. 488-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of The Centrun Corporation, owner, to permit in a business use district and two and one-half times height district the extension in height of an existing office building, the said extension in height not conforming with the height restrictions of the building zone resolution; premises 62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan.

CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution, of Jacob Muskin, applicant, on behalf of Abraham D. Van Sichen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 18, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

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263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

445-40-A—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.

Variation of the Labor Law.

463-40-S—312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn.

JUNE 25, 1940, 10 A. M. *Building Zone Applications.*

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 25, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 410-31-BZ—Application of Rudolph B. Weiss, applicant, on behalf of Lakeville Road Service Station, Incorporated, owner, reopened May 28, 1940—re consideration as to extension of permit and extension of time to complete work—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the alteration and maintenance of a gasoline service station for a temporary period; premises 175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway and 83.78 ft. east of 175th street (Block No. 2661, Lot No. 26), Flushing, Borough of Queens.

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, applicant, on behalf of Garbo Garage Corporation, owner, reopened April 16, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

CAL. NO. 272-26-BZ—Application of Lama and Proskauer, applicants, on behalf of Maned Realty Company, Incorporated, owner (Harry Roisman, lessee), reopened April 30, 1940, for rehearing on a new proposal, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied—re erection of a gasoline service station); premises 555-563 Atlantic avenue, north

side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn.

CAL. NO. 368-40-BZ—Application, April 8, 1940, under sections 7c and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Plaza-Circle Corporation, owner (Edward Nolan d/b/ as Plaza View Garage, lessee), to permit, partly in a residence use district and partly in a business use district, the alteration and conversion of occupancy of part of an existing building from garage for more than five (5) motor vehicles to store use, and from carriage house and stable for more than five (5) horses to garage for more than five (5) motor vehicles; premises 2-14 Plaza street and 405-413 Flatbush avenue, northeast corner (Block No. 1169, Lot No. 1), Borough of Brooklyn.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

CAL. NO. 349-40-BZ—Application, April 5, 1940, under sections 7h and 21 of the building zone resolution, of Jacob J. Schwebel, applicant, on behalf of New York, New Haven and Hartford Railroad Company, owner (Cousins Realty Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx.

CAL. NO. 327-40-BZ—Application, April 1, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Oxford Development Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10, and part of Lot No. 1), Forest Hills, Borough of Queens.

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CAL. NO. 336-40-BZ—Application, April 3, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JUNE 25, 1940, 2 P. M.

Appeals from Administrative Decisions.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 25, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 235-37-BZ—Application of 3331 Fish Avenue Corporation, applicant and owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

CAL. NO. 289-34-BZ—Application of Wrenn and Schmid, applicants, on behalf of Edith J. Potter, owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7a of the building zone resolution, permitting in a residence use district the extension in area of an existing garage and automobile repair shop for a temporary period; premises 308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

JULY 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 2, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

CAL. NO. 384-40-BZ—Application, April 12, 1940, under section 7h of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan.

CAL. NO. 763-38-BZ—Application of Herman Kron, applicant, on behalf of New York Telephone Company, owner (Jacob Goldstein, lessee), reopened October 17, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 728-732-744 Second avenue, east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

CAL. NO. 163-40-BZ—Application, February 9, 1940, under sections 7h and 21 of the building zone resolution, of Louis R. Patur, applicant, on behalf of Beck-Brown Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn.

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21

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of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 2049), Lot No. 3), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JULY 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and

2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law, re building fronting on a proposed private street).

333-40-A—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (under Section 35, General City Law—re Bed of Mapped Street).

JULY 9, 1940, 2 P. M.

Appeal from Administrative Decision.

658-40-A—71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

JULY 12, 1940, 10 A. M.

Rules.

639-40-SR—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

JULY 16, 1940, 2 P. M.

Appeal from Administrative Decision.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, MAY 28, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, April 30, 1940, the minutes of the regular meeting of the Board held on Tuesday afternoon, April 30, 1940, and the minutes of the special meeting of the Board held on Friday morning, May 3, 1940, were approved as printed in Bulletin No. 19, Vol. 25.

BUILDING ZONE CASES

562-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1938 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—208-16 Foch boulevard, south-

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west corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for inspection by a committee of the Board; no further argument.

1232-39-BZ.

APPLICANT—Martyn N. Weinstein, for Beech Haven Estates, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M. Applicant to send required notices.

1437-39-BZ.

APPLICANT—Charles Lee Koester, for Galonite, Incorporated, owner (Harry Cook, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Heller.

For Opposition: None.

ACTION OF BOARD—Laid over to June 11, 1940, at 10 A.M., on request of applicant's representative to file plans, etc.

265-28-BZ.

APPLICANT—Otilia Realty Corporation, owner.

SUBJECT—Application reopened February 6, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station.

PREMISES AFFECTED—3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman, William R. Ahman and Otilia Blume.

For Opposition: David Abramowitz, Julia Hulahan and Johanna Rasch.

ACTION OF BOARD—Motion to amend resolution denied.

THE VOTE TO AMEND—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum.....	3
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(265-28-BZ)

WHEREAS, this application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 3181 Westchester avenue, west side, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot Nos. 43 and 44), Borough of The Bronx, was granted by the Board October 2, 1928, on certain conditions; time to complete work extended October 26, 1937; resolution amended June 21, 1938; and

WHEREAS, the applicant requested the reopening of this application to permit the alteration of the garage so as to include a gasoline service station; and

WHEREAS, this application was reopened by vote of the Board February 6, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hobart avenue is in residence and business use districts; Wilkinson avenue, Westchester avenue and Sands place are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings on Alt. Application No. 794-1939, dated December 20, 1939, reads:

"Proposed use (gasoline station) located in a business district is contrary to Section 4, Art. 2, of the Amended Building Zone Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, one story in height, with a frontage of 104.5 ft. and a maximum depth of 136.2 ft.; it is proposed to remove and relocate a part of the street use of the existing garage for more than five (5) motor vehicles and to use the resulting space as an alcove gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Alt. Application No. 794-1939, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

28-40-BZ.

APPLICANT—Conroy and Hardy, for 42 South 11th Avenue Realty Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop.

PREMISES AFFECTED—14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15 and 18), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy, Samuel Stewart and William J. O. Fee.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

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THE RESOLUTION—

(28-40-BZ)

WHEREAS, Conroy and Hardy, for 42 South 11th Avenue Realty Company, Incorporated, owner, filed January 9, 1940, an application under sections 7a and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and auto repair shop; premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15 and 18), Whitestone, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cross Island boulevard and 14th road are in business and residence use districts; Clintonville street and 150th place are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 8544-1939, dated April 2, 1940, reads:

"The erection of a gasoline service station, lubritorium, auto laundry and auto repair shop within a business district is contrary to Article 2, Section 4 of the Zone Law.

Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 127.2 ft. on Cross Island boulevard, 63.5 ft. on Clintonville street and a distance of approximately 109 ft. along the north lot line; a small area consisting of part of former Lot 18 with a frontage of 1.62 ft. on Clintonville street and 3.6 ft. on Cross Island boulevard is excluded from the gas station area; it is proposed to demolish the existing building which is part of a former garage that existed on the site and to erect a one-story building, 24 ft. 4 in. by 42 ft. 8 in., irregular in area, to be used as motor vehicle repair shop, lubritorium, auto laundry and office, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the reconstruction and rearrangement of the existing gasoline service station, substantially in accordance with revised plans marked 'Received May 24, 1940', *on condition* that the general arrangement of the accessory building and its design shall be as shown on such plans; that the accessory building shall be constructed of incombustible materials, except that the roof beams and boarding may be of wood and provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roof is surfaced with natural slate; that the exterior of the building shall be of unpainted face brick; that window frames and sash, door frames and doors may be of wood, provided there are no openings on the lot line to adjoining premises; that the greasing equipment shall be of the hydraulic type; that there shall be no open excavation under the accessory building; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that in addition to the retaining wall on the lot line there shall be a wall as shown from the accessory building to Cross Island boulevard; that the space between this wall and the wall on the lot line shall be graded and landscaped; that the design and material of the wall shall agree

with those of the accessory building; that such wall at no point shall be less than 3 ft. 6 in. above grade; that the balance of the lot where not occupied by accessory building and planting shall be cement paved or surfaced with Colprovia or other impervious, suitable material, and shall be surfaced as near as practicable to the service road of the parkway and Clintonville street; that pumps erected shall not be nearer to the street building line of the parkway service road than 12 ft. 9 in., as shown; that the pumps shall be as approved by the Park Department for use on parkways, with masonry pedestals to conform with the masonry on the accessory building; that there shall be erected at the intersection of Clintonville street and the service road a block of concrete extending for not less than 5 ft. from the intersection along each street and not less than 12 in. in height and triangular in shape; that entrances shall be restricted to one to Clintonville street, not over 40 ft. in width, and two to Cross Island boulevard, not over 30 ft. in width each; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the gasoline pumps, excluding all temporary signs and all roof signs, but permitting the erection within the building line near the street intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that such sign may extend both on Cross Island boulevard and on Clintonville street; that no automobile repairing shall be carried on and no parking of cars allowed other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that the plans marked 'Received May 24, 1940,' with the additional requirements herein are hereby approved as in substantial compliance with this resolution; that all permits required shall be obtained and all work completed within one (1) year from the date of this resolution.

132-40-BZ.

APPLICANT—Lama and Proskauer, for Nat Krefetz, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Henry Kaweck, J. P. McNaughton, R. T. Holland, Charles C. Penfield, G. M. Naughton and Mrs. J. Dallas.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage..... 1

Negative: Chairman Murdock, Commissioner

Blum and Assistant Chief McCarthy..... 3

THE RESOLUTION—

(132-40-BZ)

WHEREAS, Lama and Proskauer, for Nat Krefetz, owner, filed February 2, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); premises 50-05 30th avenue, north side, 28 ft. east of 50th street (Block No. 743, Lot Nos. 27 and 28), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 30th avenue and 50th street

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are in residence and business use districts; Hobart street is in residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Appl. 5637, dated January 25, 1940, reads:

"1. The construction of a business building within a 'residence' use district is contrary to Art. 2, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the proposed building is to be one story in height, fronting 23 ft. 6 in. on 30th avenue and 40 ft. on 50th street, irregular in area, of Class 3 construction; it is proposed to occupy the proposed building as four (4) stores; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate his basis of appeal under Section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Appl. 5637, be and it hereby is affirmed and that the application be and it hereby is denied.

152-40-BZ.

APPLICANT—Arnold J. Marshall (lessee), for John Bodine Estates, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: William S. Pettit, A. Aaronson, George E. Pettit and Arnold J. Marshall.

For Opposition: Benjamin Gassman, Rose V. Rosenbaum, Thomas R. Hagan, Mrs. Philip Schmitt, Joseph F. Finkelstein, Rose R. Sacks, Mrs. Emma Maier and others.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(152-40-BZ)

WHEREAS, Arnold J. Marshall, for John Bodine Estates, Incorporated, owner, filed February 9, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises northeast corner Beach Channel drive and Far Rockaway boulevard (Block No. 246, Lot No. 20), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Beach Channel drive is in a business and residence use district; Far Rockaway boulevard, Amstel boulevard and Beach 32nd street are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 10176-39, dated February 8, 1940, reads:

"2. The erection of a gasoline station is contrary to Art. 11, Sec. 4(a) Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100 ft. on Far Rockaway boulevard, 150 ft. on Beach Channel drive and a distance of 110 ft. along the east lot line; it is proposed to erect upon the site a one-story structure, 41 ft. 7 in. by 26 ft. 6 in. in area, to be used as an auto laundry, lubricatorium and office and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate his basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Appl. No. 10176-39, Objection No. 2, be and it hereby is affirmed and that the application be and it hereby is denied.

164-40-BZ.

APPLICANT—Theodore R. Feinberg, for Central Savings Bank in the City of New York, owner (George Somnig, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore R. Feinberg and Henry Aarons.

For Opposition: Archie Borrok, John F. De Angeli and Jacob J. Talbolt.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(164-40-BZ)

WHEREAS, Theodore R. Feinberg (George Somnig, lessee), for Central Savings Bank in the City of New York, owner, filed February 10, 1940, an application under section 7h of the building zone resolution, to permit in a retail use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 West 35th street, north side, 194 ft. east of Tenth avenue (Block No. 733, Lot Nos. 9 and 10), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 36th street is in an unrestricted use district; West 35th street, 10th avenue and West 34th street are in retail and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 18, 1940, and as amended May 8, 1940, reads:

"With reference to your application dated May 3, 1940 for a certificate of Occupancy for use of above premises as a storage and parking space for more than five motor vehicles, we wish to advise you that same

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has been denied because the premises are located in a retail district where this occupancy is prohibited by Section 4A of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 45 ft. 3 in. and a depth of 98 ft. 9 in.; it is proposed to occupy the site for a temporary period of not more than two (2) years and the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

171-40-BZ.

APPLICANT—John T. Briggs, for Safe Collateral Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan.

APPEARANCES—

For Applicant: John T. Briggs.

For Opposition: Jeremiah B. Bloom.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

The RESOLUTION—

(171-40-BZ)

WHEREAS, John T. Briggs, for Safe Collateral Corporation, owner, filed February 13, 1940, an application under section 7h of the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223-225 East 98th street, north side, 225 ft. west of Second avenue (Block No. 1648, Lot Nos. 14 and 15), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 98th and East 99th streets are in business and unrestricted use districts; 2nd and 3rd avenues are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated February 2, 1940, reads:

"Your application dated January 23, 1940 for a Certificate of occupancy for the use of the above premises for parking and storage of more than five (5) motor vehicles has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by section 4 of the Building Zone Resolution."

and

WHEREAS, these premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. 8 in. It is proposed to occupy the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

172-40-BZ

APPLICANT—John T. Briggs, for Safe Collateral Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan.

APPEARANCES—

For Applicant: John T. Briggs.

For Opposition: Sol A. Herzog, Jacob Glickstein,
John Sullivan and Elliott Mack.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

The RESOLUTION—

(172-40-BZ)

WHEREAS, John T. Briggs, for Safe Collateral Corporation, owner, filed February 13, 1940, an application under section 7h of the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58-60 East 113th street, south side, 25 ft. 6 in. east of Madison avenue (Block No. 1618, Lot Nos. 51 and 52), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 113th street, East 112th street, Madison avenue, and Park avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated February 6, 1940, reads:

"Your application dated January 24, 1940 for a certificate of occupancy for the use of the above premises as a parking and storage space for more than five (5) motor vehicles has been denied for the reason the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Regulation."

and

WHEREAS, these premises consist of a plot of ground having a frontage of 44 ft. 6 in. and a depth of 100 ft. 11 in. It is proposed to occupy the plot for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the

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plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

173-40-BZ.

APPLICANT—John T. Briggs, for Safe Collateral Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 and 12), Borough of Manhattan.

APPEARANCES—

For Applicant: John T. Briggs.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(173-40-BZ)

WHEREAS, John T. Briggs, for Safe Collateral Corporation, owner, filed February 13, 1940, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 321-323 East 114th street, north side, 250 ft. east of Second avenue (Block No. 1686, Lot Nos. 11 and 12), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 114th street, East 115th street and Second avenue are in business use districts; First avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 2, 1940, reads:

"Relative to your application dated January 24th, 1940 for a certificate of occupancy for use of above premises for the parking and storage of more than five motor vehicles, we wish to advise you that same has been denied as the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. 11 in.; it is proposed to occupy the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

211-40-BZ.

APPLICANT—Raymond P. McNulty, for Bohack Realty

Corporation, owner (H. C. Bohack, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: Raymond P. McNulty, M. G. Charles, W. E. Pohl, H. L. Yakel and Henry C. Bohack.

For Opposition: P. Meredith Langstaff, Samuel Markle, H. A. Birrell, Edward Handelsman, A. Irving Isaacson and Irving Manheim.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(211-40-BZ)

WHEREAS, Raymond P. McNulty (H. C. Bohack, Incorporated, lessee), for Bohack Realty Corporation, owner, filed February 27, 1940, an application under sections 7a, 7c and 21 of the building zone resolution, to permit, partly in a residence use and partly in a business use district, the erection and maintenance of a business building (stores); premises 154-156 Henry street and 32 Love lane, northwest corner (Block No. 236, Lot Nos. 38, 136 and 137), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Henry street and Love lane are in residence and business use districts; College place is in a business use district; Pierrepont street is in a residence use district; and

WHEREAS, the decisions of the borough superintendent of buildings, on Alt. Application No. 297-40, dated January 29, 1940, and on Alt. Application No. 296-40, dated January 30, 1940, read respectively:

"Proposed store partly in a business use district and partly in a residence use district is contrary to Art. II, Sect. 3, B.Z. Resolution proposition denied."

"Proposed business use in a residential district is contrary to Article 2, sub. div. 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 113 ft. 5 in. on Love lane and 42 ft. 6 in. on Henry street; upon the westerly portion of the plot there is a two-story, non-fireproof building, 20 ft. 2 in. by 59 ft. 10 in. in area, occupied as a four-car garage on the first story and unoccupied on the second story; upon the southerly portion of the Henry street front of the plot there is a non-fireproof building, two, three and four stories in height, having a frontage of 19 ft. 3 in. on Henry street and 93 ft. 3 in. on Love lane, and occupied on the first story as stores and as dwellings above; upon the north portion of the Henry street front of the plot there is a non-fireproof building, one and three stories and basement in height, 23 ft. by 93 ft. in area, occupied on the basement story as store and storage rooms and as dwellings above; it is proposed to erect upon the site a one-story, non-fireproof building, of Class 3 construction, to be occupied as four (4) stores; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

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WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship and, also, that this was not a proper case in which to exercise its discretion to grant under sections 7a and 7c of the building zone resolution.

Resolved, that the decisions of the borough superintendent of buildings be and they hereby are *affirmed* and that the application be and it hereby is *denied*.

218-40-BZ.

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 7d of the building zone resolution, to permit the extension from a business use district into a residence use district of an existing central telephone exchange.

PREMISES AFFECTED—43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Frank A. Frits, Earle M. Simonson and Roger J. Storm.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(218-40-BZ)

WHEREAS, New York Telephone Company, owner, filed February 29, 1940, an application under sections 7c and 7d of the building zone resolution, to permit the extension from a business use district into a residence use district of an existing central telephone exchange; premises 43-05 to 43-07 Bell boulevard, east side, 30.22 ft. south of 43rd avenue, 214-20 43rd avenue and 43-02 to 43-10 214th place (Block No. 6300, Lot No. 16), Bayside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bell boulevard and Northern boulevard are in business use districts; 214th place and 43rd avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 154-40, dated January 31, 1940, reads:

"The extension of the existing commercial structure located within a business district, to the adjoining residence district is contrary to Art. II, Sec. 3, building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 60 ft. on Bell boulevard, 150 ft. on 43rd avenue and 100 ft. on 214th place; upon the 214th place front of the plot is located a two and one-half story frame dwelling, which is to remain, and upon the Bell boulevard front of the plot there is a two and three-story fireproof central telephone exchange building with a frontage of 70 ft. 6 in. and a depth of 95 ft. 9 in.; it is proposed to extend the use and area of this latter building by the erection of a two-story extension, 70 ft. 8 in. by 61 ft., irregular, in area; the existing building is located in a business use district, while the proposed extension will extend into the residence use district for a maximum distance of approximately 50 ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision d, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7d thereof, to permit the extension of the building as proposed into the residential district, *on condition* that it shall not be further extended in height or area; that the portion of the premises between the proposed extension and 43rd avenue for the full depth to 214th place within the residential use district shall be landscaped and maintained in such form at all times; that there shall be no driveway from the residential district to the building for servicing purposes; that this variance shall continue only so long as the building is used as proposed as a branch central station of the New York Telephone Company or its successors; that there shall be erected on the southerly lot line, from the proposed extension to 214th place, a substantial steel picket fence not less than 6 ft. in height; that a substantial hedge or iron picket fence shall be constructed and maintained along the building line of 43rd avenue; that in all other respects all laws, rules and regulations applicable to the building and occupancy shall be complied with; that complete working drawings showing the building, fences and shrubbery shall be submitted to the Board for approval prior to the time same is filed with the borough superintendent of buildings, and after the approval of such plans, all permits shall be obtained and all work completed within eighteen (18) months thereafter.

256-40-BZ.

APPLICANT—Henry Nordheim, for Archbishopric of New York, Incorporated, owner (Herman Glicker, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: Sol A. Herzog, T. D. Hartigan, Annie Lieberman, George H. Cohen, Simon Rosenthal and Lester Rosman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(256-40-BZ)

WHEREAS, Henry Nordheim, for Archbishopric of New York, Incorporated, owner (Henry Glicker, lessee), filed March 7, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 458 West 155th street, south side, 137 ft. east of Amsterdam avenue (Block No. 2068, Lot Nos. 79, 76, 75, 74 and 49), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 28, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the building zone resolution show that West 155th street and Amsterdam avenue are in business use districts; West 154th street and St. Nicholas avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 20, 1940, reads:

"Relative to your application for certificate of occupancy received in this office February 8, 1940, for use of the above premises for parking and storage of more than five motor vehicles, we wish to advise you that same has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 170 ft. and a depth of 100 ft.; upon the plot is located a two-story frame structure which is to be removed; it is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship and that there is no basis for consideration under section 7, subdivision h.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 3:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, MAY 28, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

326-29-BZ.

APPLICANT—Henry Nordheim, for Margaret G. Wright, owner.

SUBJECT—Application for consideration—reopening on a new proposal—(re decision of the borough superintendent of buildings), under sections 7e and 21 of the building zone resolution, to permit in a business use district the change of occupancy of milk depot and transfer point to a non-storage garage for more than five (5) motor vehicles and motor vehicle repair shop (previously denied—re garage for more than five (5) motor vehicles).

PREMISES AFFECTED—3327-3329 Webster avenue, west side, 501.98 ft. south of Gunhill road (Block No. 3355, Lot No. 140), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

410-31-BZ.

APPLICANT—Rudolph B. Weiss, for Lakeville Road Service Station, Incorporated, owner.

SUBJECT—Application for consideration—reopening, extension of time and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7f of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the alteration and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—175-14 Horace Harding boulevard, south side, 117.71 ft. east of 175th street (Block No. 2661, Lot No. 26), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Rudolph B. Weiss.

ACTION OF BOARD—Application reopened and set for hearing June 25, 1940, at 10 A.M., to permit two publications in Bulletin.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

25-34-BZ.

APPLICANT—Nicholas Drogaris, for Nicholas Drogaris and Peter Drogaris, owners (Pearl Restaurant, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret of a building previously extended and granted by the Board on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and sale of soda, ice cream, cigars, cigarettes and tobacco.

PREMISES AFFECTED—1188-1196 Ocean parkway and 515-529 Avenue L, northwest corner (Block No. 5495, part of Lot No. 1000), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Eckleman.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

88-36-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—3170-3178 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, part of Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: John G. Coleman.

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ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

617-24-BZ.

APPLICANT—Samuel Gardstein and Son, for Lantic Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously granted on condition under sections 7c and 21 of the building zone resolution, permitting the alteration and conversion of occupancy of building used as a factory, stable and garage, located partly in a business use district and partly in an unrestricted use district, to a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-57 Third avenue and 522-528 Atlantic avenue, southeast corner (Block No. 186, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Gardstein.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(617-24-BZ)

WHEREAS, this application affecting premises 41-57 Third avenue, southeast corner of Atlantic avenue (Block No. 186, Lot No. 1), Borough of Brooklyn, was granted by the Board July 1, 1924, on certain conditions, resolution amended May 5, 1925, November 14, 1933, July 17, 1934, and February 24, 1937, time extended September 25, 1934, July 15, 1935, October 20, 1936, February 24, 1937, and owner now requests a further amendment of the resolution; and

WHEREAS, an application has been filed with the borough superintendent of buildings under Alt. Application No. 2247-40 for permission to install a Deisel engine in the basement to replace the Diesel engine illegally installed on the first story.

Resolved, that the resolution adopted by the Board on July 1, 1924, as subsequently amended and last amended on February 24, 1937, be and it hereby is *further amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building be limited in height to a two-story structure above grade; that the rear wall be unpierced throughout its entire height and length; that any ramps installed shall start from the grade level and shall be not less than 25 ft. from the walls of the building at street fronts; that the street elevations shall be finished in face brick with architectural terra cotta or stone trimmings; that there shall be no vehicular opening from Third avenue except as hereinafter permitted; that the sills of any windows thereon shall be at least 5 ft. above sidewalk level and shall be glazed with translucent glass other than a plate glass show window on the Third avenue front at the Atlantic avenue end; that any skylight installed shall be glazed with plain glass, protected with wire guards above and below; that there shall

be no advertising or signs of any description displayed on the Third avenue front of the building; that there shall be no roof signs permitted on any part of the structure; that not more than one projecting sign shall be permitted on the Atlantic avenue front of the building; that alteration to the first story may be permitted as indicated on the plans filed with this application marked 'Received November 1, 1933,' under which the wall of the first story is to be completely removed along Atlantic avenue and for a distance of 32 ft. southerly from Atlantic avenue along Third avenue, so that the Atlantic avenue front portion of the first story of this building may be used as a gasoline selling area, *on condition* that there shall be erected between the gasoline selling area and the balance of the first story used as public garage a fireproof wall for the full height of the first story continuously from the easterly wall to the Third avenue wall and with all openings therein protected with fireproof doors; that the entire gasoline selling area shall be cement paved; that the ceiling over the gasoline selling area shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the boiler room located in the cellar near the corner of Atlantic and Third avenues shall be entirely separated from the balance of the building with fireproof material and enterable only from the exterior by means of a new stairway to be erected from Third avenue at a point approximately 60 ft. southerly from the intersection of Atlantic and Third avenues as indicated on revised plans marked 'Received July 11, 1934'; that this stairway and passage therefrom to the boiler room shall be separated from the balance of the building by fireproof construction and that the present opening to the boiler room from Atlantic avenue shall be discontinued and permanently closed; that no gasoline pumps or tanks shall be erected over the boiler room or within 15 ft. thereof; that the installation of a show window as indicated on plan marked 'Received July 11, 1934', as amended by plan marked 'Received February 3, 1937', between the Third avenue store and the gasoline selling area may be omitted and permitting an entrance from Third avenue approximately thirty (30) feet in width at the corner of Atlantic avenue, *on condition* that the frame and sash of the store window shall be of steel, glazed with polished plate wire glass, and with no pane over four square feet in area and with no transom or other openings to the gasoline selling area; that the stool and the wall under the show window and all other enclosures shall be constructed of fireproof materials; that other than as amended herein, the resolution adopted by the Board on May 5, 1925, as amended November 14, 1933, shall be complied with in all respects; that the installation of the oil burning equipment shall be satisfactory to and approved by the commissioner of buildings.

Resolved further, that in the event the owner desires to install an oil burning Deisel engine on the premises, such engine shall be installed only in a boiler room below grade, constructed of fireproof construction, and separated by fireproof construction from all other points of the garage and connected to a legally constructed flue; that a fresh air intake shall be provided as approved by the borough superintendent of buildings; that no crankcase oil shall be used in connection with such engine; that the Oil Burner Rules of the Board shall be complied with in all respects."

641-30-BZ.

APPLICANT—Colonial Beacon Oil Company, for Henry and Albert Merkel, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the

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building zone resolution, permitting, partly in a business use district and partly in a residence use district, the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—207-06 Hillside avenue, south side, 41 ft. east of 207th street (Block No. 10582, Lot No. 3), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(641-30-BZ)

WHEREAS, this application affecting premises south side of Hillside avenue, 41 ft. east of 207th street (Block No. 10582, Lot No. 3), Queens Village, Borough of Queens, was granted by the Board May 5, 1931, for a temporary period of two (2) years, and on May 2, 1933, this temporary period was extended for an additional period of two (2) years; a request for a further extension was denied July 16, 1935; and

WHEREAS, on writ of certiorari the application was referred back to the Board by the court for consideration, and was reopened by vote of the Board March 17, 1936; and

WHEREAS, the temporary period was extended May 12, 1936, and applicant requested a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of May 5, 1931, as amended by resolution adopted May 12, 1936, and May 17, 1938, only so far as it has reference to the duration of the permit, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7f, for a period of two (2) years from the date of this amended resolution, permitting the plot under appeal to be used for a gasoline service station, on condition that no part of the station or accessories thereto shall exceed the area under appeal, namely: 61.6 ft. front and 114.59 ft. in depth, excluding all portions of the adjoining lots to the west and east; that there shall be but two (2) entrances to this gasoline station within this frontage length of 61 ft.; that no additional building shall be constructed other than the present office building and the present rear building approved by the Department of Buildings, Queens, as a two-car garage under Application No. 1958-1934; that all gasoline pumps shall be set back at least 10 ft. from the building line; that no portable gasoline tanks shall be used on or from the premises; that any grease rack installed or in use shall be housed in the one-story rear accessory building; that there shall be no excavations under any accessory buildings except necessary pits for greasing racks; that a substantial wooden or heavy mesh wire fence shall be erected around the interior lot lines of the plot not less than 5 ft. in height; that any advertising signs shall be restricted to the illuminated globes of the gasoline pumps and to a flat wall sign erected against the front of the accessory building, excluding all temporary signs of every nature, except there may be erected within the building line a pipe standard to carry an illuminated electric sign advertising only the brand of gasoline on sale, provided that no sign shall extend beyond building line a distance of more than 5 ft."

77-32-BZ.

APPLICANT—Lama and Proskauer, for Anagal Realty Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Northeast corner of Nassau boulevard and Utopia parkway (Block No. 2785, Lot No. 5), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(77-32-BZ)

WHEREAS, this application affecting premises northeast corner of Nassau boulevard and Utopia parkway (Block No. 2785, Lot No. 5), Flushing, Borough of Queens, was granted by the Board May 20, 1932, under section 7, subdivision f, on certain conditions, for a temporary period of two (2) years, time extended June 2, 1936, and May 10, 1938, and applicant requests a further extension of the temporary period.

Resolved, that the resolution adopted by the Board on May 20, 1932, be and it hereby is amended, only so far as it has reference to the term of this variance, so that as amended this portion of the resolution will read:

"granted for a temporary period of two (2) years from the date of this amended resolution, on condition that the resolution adopted May 20, 1932, shall be complied with in all other respects."

46-33-BZ.

APPLICANT—Alex Litman, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district the use and maintenance of a plot of ground for parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—South side of Edgemere avenue, from Beach 52nd street to Beach 53rd street (Block No. 343, Lot No. 45), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Emma Litman.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(46-33-BZ)

WHEREAS, this application affecting premises south side of Edgemere avenue, from Beach 52nd street to Beach 53rd street (Block No. 343, Lot No. 45), Edgemere, Borough of Queens, was granted by the Board May 23, 1933, for a temporary period of two (2) years, and resolution amended May 12, 1936, and applicant requested a further extension of the temporary period.

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Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on May 23, 1933, so that as amended the resolution shall read:

"*granted*, under section 7h, for a period of two (2) years from the date of this amended resolution, on condition that a substantial woven wire fence, not less than 5 ft. in height, shall be erected along Edgemere avenue and along Beach 52nd street, commencing 6 ft. away from the wooden buildings now on this plot, thence 6 ft. away from the wooden buildings to the interior lot lines, and thence along the interior lot lines, so that the parking enclosure will be completely surrounded by the fence, and at no point within 6 ft. of any building on this plot or on adjacent plot; that there shall be not more than two openings in this fence, each opening to be not over 12 ft. in width, one from Edgemere avenue and one from Beach 52nd street, with no part of any openings within 10 ft. of the corner formed by the intersection of Beach 52nd street and Edgemere avenue; that no gasoline shall be sold on the property or stored on the property other than in the tanks of the cars; that no advertising of the non-conforming use shall be displayed on the property, except one neat sign, located at the Edgemere avenue entrance in the fence; that if any general illumination is furnished, it shall be on standards, with metal reflectors so designed and located as to throw the light downwardly and away from the residential buildings to the south."

86-37-BZ.

APPLICANT—Kim Parking Stations, Incorporated (lessee), for John A. Weser, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a retail use district the parking or storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—146-148 West 31st street, south side, 200 ft. east of Seventh avenue (Block No. 806, Lot Nos. 68 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: M. Rosenstein.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(86-37-BZ)

WHEREAS, Keystone Parking Station, for John A. Weser, et al, owners, filed March 3, 1937, an application under the building zone resolution, to permit in a retail use district the parking or storage of more than five (5) motor vehicles; premises 146-148 West 31st street, south side, 200 ft. 6 in. east of Seventh avenue (Block No. 806, Lot Nos. 68 and 69), Borough of Manhattan; and

WHEREAS, this application was granted June 2, 1937, on certain conditions, and owner requests an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 2, 1937, as amended by resolution adopted July 11, 1939, only so far as it refers to obtaining permits and completion of work, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a period of two (2) years

from the date of this amended resolution, permitting the premises under appeal to be used for the parking of more than five (5) automobiles, on condition that only pleasure cars and those capable of operation shall be parked; that the entire plot shall be leveled and covered with steam cinders, properly bound to prevent dusting or other suitable surfacing; that where unpunctured walls of adjacent buildings do not occur, either walls or a substantial woven wire fence 6 ft. in height shall be constructed; that a substantial woven wire or steel picket fence shall be constructed along the lot line of West 31st street, except for entrance opening, which shall not exceed 20 ft. in width; that no additional curb cuts shall be installed other than those now existing; that during the term this plot is used for parking purposes it shall be occupied for no other use; that no building shall be erected other than a small building not exceeding 10 ft. square and one story in height as a shelter for the attendant; that signs shall be limited to one sign advertising only parking use; that all permits shall be obtained and all work completed within three months from the date of this amended resolution."

152-37-BZ.

APPLICANT—Michael Falzarano (lessee), for I. Rosenwasser, N. Glantz and Bessie Greenwald, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—9508-9530 Church avenue, southeast corner of East 96th street (Block No. 4716, Lot Nos. 42 to 50, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(152-37-BZ)

WHEREAS, Michael Falzarano, for Bessie Greenwald, I. Rosenwasser and N. Glantz, owners, filed April 3, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 9508-9530 Church avenue, southeast corner of East 96th street (Block No. 4716, Lot Nos. 42 to 50, inclusive), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board May 24, 1938, for a temporary period of two (2) years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on May 24, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a temporary period of two (2) years from the date of this amended resolution, to permit the plot under appeal to be occupied for the parking and

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storage of more than five (5) motor vehicles, *on condition* that the motor vehicles so parked and stored shall be solely of the pleasure-car type; that during the term of this variance the premises shall be used for no other use; that all existing uses not conforming to the requirements of this resolution shall be removed; that the plot shall be leveled substantially to the grade of the surrounding streets; that there shall be erected on the interior and street building lines substantial woven wire fences not less than 6 ft. in height with not over one opening therein with entrance to Church avenue, such opening to be not over 20 ft. in width with curb cut opposite not over 15 ft. in width; that during the term of the variance there shall be no building permitted on the premises or erected, other than a building not exceeding 150 sq. ft. in area and not over one story in height, as office and shelter for the attendant; that no signs shall be erected upon the premises, other than a neat sign at the entrance advertising the parking and storage use, such sign not to exceed an area of 15 sq. ft.; that any lights for general illumination shall be on metal standards and so placed with metallic reflectors to reflect toward the center of the premises and away from the adjoining occupancies; that proper aisles shall be left at all times for easy entrance and exit; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the entire premises shall be surfaced with steam cinders or other suitable material, properly bound and rolled to prevent dusting, and graded so as to provide surface drainage; that the existing sump pit on the premises shall be removed and any requirements for unusual surface drainage shall be provided for, to the satisfaction of the superintendent of buildings."

51-38-BZ.

APPLICANT—Bernhardt T. Berman, for Dimbashe Corporation and Estate of Adam Schepp, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—44-54 Suffolk street, east side, 100 ft. north of Grand street (Block No. 346, Lot Nos. 3, 7 and 8), Borough of Manhattan.

APPEARANCES—

For Applicant: B. T. Berman.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(51-38-BZ)

WHEREAS, Bernhardt T. Berman, for Dimbashe Holding Corporation and Estate of Adam Schepp, owners, filed January 27, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 44-54 Suffolk street, east side, 100 ft. north of Grand street (Block No. 346, Lot Nos. 3, 7 and 8), Borough of Manhattan; and

WHEREAS, this application was granted by the Board June 7, 1938, for a temporary period of two (2) years, on certain conditions, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does

hereby *amend* its resolution adopted on June 7, 1938, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a period of two (2) years from the date of this *amended resolution*, to permit the plot under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored and parked; that the plot shall be leveled substantially to the grade of Suffolk street and surfaced with steam cinders or similar material, properly rolled and bound to prevent dusting and to provide proper surface drainage; that on the interior lot line, where walls of adjacent building do not occur, there shall be erected a substantial woven wire fence with cyclone type metal pipe posts; that similar fences shall be erected on the street building line, except for one entrance opposite the existing 11 ft. curb cut, not exceeding that width; that these fences shall be not less than 6 ft. in height; that a fence shall be erected so as to cut off entirely Lot No. 26 on the rear line of that lot; that during the term of this variance the premises shall be used for no other use except as herein permitted and no building shall be erected thereon, except there may be erected a building not over one story in height, 150 sq. ft. in area, as office and shelter for the attendant; that no signs shall be erected upon the premises other than a neat sign at the entrance, not over 15 sq. ft. in area, advertising the parking and storage use; that at all times proper aisles shall be maintained for easy access and egress; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that if any lights are installed for general illumination, they shall be erected on pipe standards with metallic reflectors so arranged as to reflect away from the adjoining occupancies."

146-38-BZ.

APPLICANT—Emil Greenberg, for Eva Garber, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—5366-5368 Kings highway, west side, 234 ft. 1½ in. north of Farragut road (Block No. 7948 Lot Nos. 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emil Greenberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(146-38-BZ)

WHEREAS, Lama and Proskauer, for Eva Garber, owner, filed March 8, 1938, an application under the building zone resolution, to permit in a business use district the extension of an existing gasoline service station; premises 5366-5368 Kings highway, west side, 234 ft. 1½ in. north of Farragut road (Block No. 7948, Lot Nos. 11 and 12), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board June

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21, 1938, on certain conditions, time to obtain permits and complete work extended June 7, 1939, and applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on June 21, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

370-38-BZ.

APPLICANT—Koch and Wagner, for John F. Trommer, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under section 7a of the building zone resolution, permitting in a business use district the alteration and extension of an existing brewery building.

PREMISES AFFECTED—1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur R. Koch and Harry L. Yakel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(370-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Incorporated, owner, filed May 11, 1938, an application under the building zone resolution, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, the application was granted by the Board July 20, 1938, on certain conditions, time to obtain permits and complete work extended April 18, 1939, and applicant requested an amendment of the resolution as to plans.

Resolved, that the resolution adopted by the Board on July 20, 1938, as amended by resolution of April 18, 1939, be and it hereby is *further amended*, by adding thereto:

"that in the event the owner desires to rearrange the building as indicated on revised plans marked 'Received May 23, 1940,' and as passed upon by the borough superintendent of buildings under Alt. Applic. No. 3211-38, objection of May 27, 1940, such rearrangement may be permitted, *on condition* that in all other respects the resolution adopted by the Board on July 20, 1938, shall be complied with."

APPEALS FROM ADMINISTRATIVE DECISIONS.

444-40-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—149 Congress street, 359-363 Henry street, 120-122 Amity street, 115-121 Amity street and 125-127 Amity street (Block No. 296,

Lot Nos. 46, 4, 5, 6, 10 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for inspection by a committee of the Board.

445-40-A.

APPLICANT—Jacob Lubroth, for George Powers, owner (Louis Meyers, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Lubroth.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 18, 1940, at 2 P.M., for inspection by a committee of the Board.

502-40-A.

APPLICANT—Ansonia Fire Prevention Company, for Arthur Drayer and Son, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

517-40-A.

APPLICANT—Samuel Rudy, for William Hinckle Smith, et al., owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—13-19 White street, southwest corner of Sixth avenue (Block No. 178, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Friedman.

ACTION OF BOARD—Laid over to June 4, 1940, at 2 P.M., on request of appellant.

525-40-A.

APPLICANT—Oxford Filing Supply Company (lessee), for Paulruth Trading Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911 Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. D. Jones.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for inspection by a committee of the Board.

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504-40-A.

APPLICANT—Peter Drogaris, for Nicholas and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1188-1196 Ocean parkway, northwest corner of Avenue L (Block No. 5495, part of Lot No. 1000), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn in view of the reopening of Cal. No. 25-34-BZ.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1086-39-A.

APPLICANT—L. Hutzler, for 101 West 80th Street Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—101 West 80th street and 418-422 Columbus avenue, west side, 51 ft. 2 in. west of West 80th street (Block No. 1211, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: William Hofflemeyer.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1086-39-A)

WHEREAS, L. Hutzler, for 101 West 80th Street Corporation, owner, filed September 1, 1939, an appeal from an order and a decision of the fire commissioner; premises 101 West 80th street and 418-422 Columbus avenue, west side, 51 ft. 2 in. west of West 80th street (Block No. 1211, Lot No. 29), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 5289-LF, dated July 26, 1939, reads:

"4. Arrange the house water supply so that same will be above the 2500 gallon mark only."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated August 15, 1939; and

WHEREAS, the building is ten stories (112 ft.) in height, 51 ft. 2 in. by 92 ft. 4 in. in area; of Class 1 construction; located in a business use district; erected in 1898; equipped with a standpipe system; occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant contends that Items 1, 2, 3, 5, 6 and 7 of the order are being complied with; that the owner is contemplating remodeling the building into small suites which would necessitate a large water tank on the roof and the changing of the plumbing; that it is therefore requested that the installation be granted for a period of two (2) years so as to carry out Objection No. 4 of the Fire Department.

Resolved, that the order of the fire commissioner, No. 5289-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a tank shall be supplied to meet the requirements of the Building Code in the event the building is altered in any respect; that meanwhile the present tank shall be maintained to the satisfaction

of the fire commissioner and that the duplicate automatic pumps in the cellar shall be maintained; that in all other respects the building and occupancy shall comply with the requirements of the Multiple Dwelling Law and all other laws, rules and regulations applicable thereto.

147-40-A.

APPLICANT—Barnet Dovman, for 1-3-5 Bond Street Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1-5 Bond street, southwest corner of Shinbone Alley (Block No. 529, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Barnet Dovman.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(147-40-A)

WHEREAS, Barnet Dovman, for 1-3-5 Bond Street Corporation, owner, filed February 5, 1940, an appeal from an order and a decision of the fire commissioner; premises 1-5 Bond street, southwest corner of Shinbone Alley (Block No. 529, Lot No. 10), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 6330-LF, dated December 7, 1939, reads:

"2. Install an approved standpipe system arranged and equipped as per Article 17, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a subsequent decision of the fire commissioner, dated January 9, 1940, which reads:

"In reply to your request to omit compliance with Item 2 of Order No. 6330-LF requiring a standpipe system to be installed in the above premises, you are advised that our measurement shows the building to be 93 feet high and as the Building Code requires a standpipe system in all existing buildings exceeding 85 feet in height, your request must be denied."

and

WHEREAS, the building is six stories (88 ft. 3 in.) in height, 76 ft. by 114 ft. 6 in. in area; of Class 3 construction; located in an unrestricted use B area district; erected in 1874; equipped with a sprinkler system, and occupied: sub-cellar, storage and boiler room, 1 person; cellar, storage, 2 persons; first story, storage and office, 12 persons; third story, storage, no persons; fourth to sixth stories, inclusive, storage, no persons; and

WHEREAS, the applicant contends that he has personally checked the height of the building with steel tape and found it to be 88 ft. 3 in.; that the building has two interior stairs, which are remote from each other, and two fire escapes; that the building is equipped with a voluntary 100 per cent. two-source wet sprinkler system throughout supervised by the Automatic Fire Alarm Company; that the capacity of the gravity tank of the sprinkler system is 10,000 gallons; that the capacity of the steel pressure tank for the system is 7,500 gallons; that the building is used primarily for the storage of rolled and packaged paper; that there is no waste, glue or inflammable substances carried on the premises; that the floors are not overloaded and are designed for 150 pounds live load.

Resolved, that the order of the fire commissioner, No. 6330-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler

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system shall be maintained as a two-source system supervised by a central alarm company and maintained to the satisfaction of the fire commissioner at all times; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

176-40-A.

APPLICANT—Maria Daniele, owner.

SUBJECT—Appeal from an order of the borough superintendent of buildings.

PREMISES AFFECTED—14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Maria Daniele.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(176-40-A)

WHEREAS, Maria Daniele, owner, filed February 14, 1940, an appeal from a decision of the borough superintendent of buildings; premises 14-57 Broadway, northwest corner of 21st street (Block No. 531, Lot No. 1), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, referring to Violation No. 2958-39 and N.B. Applic. 2351-38, dated January 23, 1940, reads:

"Your request for approval of the existing frame garage located at rear of lot, 14-57 Broadway, Astoria, in the Borough of Queens, is hereby denied as under Section 4.1.2 of the Building Code frame construction is prohibited within the fire limits."

and

WHEREAS, Violation No. 2958-39, issued December 14, 1939, reads:

"You will please take notice that there exists a violation of Section (1) 2.1.3.5 (2) 2.4.2.1.3.1 of the Bldg. Code and C26-185.0 & C26-228.0 Admin. Code at the premises hereinafter described, in that (1) Aforementioned structure occupied as a garage without securing a Certificate of Occupancy."

and

WHEREAS, the building is one story (12 ft.) in height, 12 ft. by 18 ft. in area; of Class 4 construction; erected in 1939; located in a business use F area district; occupied as a one-car garage; and

WHEREAS, the applicant contends that the garage has been erected of metal with a wood frame, except for one side wall, which is brick, where it adjoins an existing garage now located on the adjoining premises; that it is proposed to cover the interior with metal; that in no way could the building be considered a hazard to surrounding property.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 2351-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that plans shall be filed for the garage in question, complying with the requirements for a garage erected outside of the fire limits, and *on condition* that this garage shall be lined on the inside with metal approved by the borough superintendent of buildings and shall be used only as a single-car garage accessory to the residence building on the same or adjoining plot under the same ownership.

280-40-A.

APPLICANT—Interlock Metal Units, Incorporated (lessee), for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—111-117 47th street, north side, 74 ft. 4 in. east of First avenue (Block No. 735, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. H. Tucker.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(280-40-A)

WHEREAS, Interlock Metal Units, Incorporated (lessee), for Bush Terminal Company, owner, filed March 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 111-117 47th street, north side, 74 ft. 4 in. east of First avenue (Block No. 735, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 3616-LF, dated November 27, 1939, reads:

"1. Extend the sprinkler system under deck structure of the 1st story as per Article 16, Chapter 26, Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated February 13, 1940; and

WHEREAS, the building is one story (21 ft.) in height, 75 ft. by 100 ft. in area; of Class 1 construction; located in an unrestricted use district; equipped with a sprinkler system; erected in 1906, and occupied for the manufacture of steel shelving; and

WHEREAS, the applicant contends the building is of fire-proof construction, except for a deck and mezzanine, under which the Fire Department have ordered sprinklers to be installed; that the only hazardous nature of the business is safeguarded in accordance with the Paint Spray Rules of the Board of Standards and Appeals; that the installation of a sprinkler underneath the mezzanine deck would be a hardship; that it would not materially affect the safety of the building; that this deck has been in existence for fifteen years and is supported by steel beams and girders.

Resolved, that the order of the fire commissioner, Order No. 3616-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall be maintained to the satisfaction of the fire commissioner; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner at all times, and that incombustible material only shall be stored over and under the mezzanine deck structures in question.

373-40-A.

APPLICANT—Dinhofer Brothers, Incorporated (lessees), for Aberdeen Realty Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—150-156 Lafayette street, west side, 119 ft. north of Howard street (seventh story); (Block No. 233, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Dinhofer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(373-40-A)

WHEREAS, Dinhofer Brothers, Incorporated (lessees), for Aberdeen Realty Company, Incorporated, owner, filed April 10, 1940, an appeal from an order and a decision of the fire commissioner; premises 150-156 Lafayette street, west side, 119 ft. north of Howard street (seventh story); (Block No. 233, Lot No. 19), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 21163-LC, dated March 1, 1940, reads:

"Before a permit may be issued for your refrigerating machine, the following must be done:

1. C.M.V.O. 10339 issued December 27th, 1939 must be complied with relative to procuring 18 certificates of fitness, etc.

It is unlawful to maintain a refrigerating plant without a permit. Please notify this department promptly when this order has been complied with."

and

WHEREAS, the decision of the fire commissioner, issued March 26, 1940, reads:

"In reply to your request regarding our Order No. 21163-LC, it is regretted that this Order cannot be rescinded. Chapter 19 of the Administrative Code requires every person who uses a torch with oxygen, in combination with a combustible gas, to hold a certificate of fitness from the Fire Commissioner."

and

WHEREAS, the building is twelve stories (150 ft.) in height, 100 ft. 6½ in. by 95 ft. 4½ in. in area; of Class 1 construction; located in an unrestricted use district; equipped with a sprinkler and standpipe system; erected in 1913, and occupied: cellar, storage, no persons; first story, store for the sale of brass and copper; second story, sales and sporting goods, 40 persons; third story, drug supplies, 40 persons; fourth story, printers, 40 persons; fifth story, same; sixth story, bookbinding, 40 persons; seventh story, manufacturing jewelers, 40 persons; eighth story, printing, 40 persons; ninth story, printing, 40 persons; tenth story, stationery manufacturing, 10 persons; eleventh story, printing, 40 persons; twelfth story, wholesale sporting goods, 40 persons; and

WHEREAS, the applicant contends that at the present time the foreman is licensed to take care of the oxygen; that he has supervision over eighteen men who handle small torches for soldering purposes only; that to comply with the order would compel the employees to undergo unnecessary expense.

Resolved, that the order of the fire commissioner, Order No. 21163-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be two persons in charge of the equipment holding certificates of fitness from the fire commissioner.

437-40-A.

APPLICANT—Ernest L. Pruden, for Court Operating Company, owner (Arco Cork Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3903-3905 Second avenue, east side, 25 ft. 2 in. north of 39th street (Block No. 707, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ernest L. Pruden and Frank M. Walsh.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(437-40-A)

WHEREAS, Ernest L. Pruden, for Court Operating Company, owner, filed April 25, 1940, an appeal from an order of the fire commissioner; premises 3903-3905 Second avenue, east side, 25 ft. 2 in. north of 39th street (Block No. 707, Lot No. 7), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 993-LF, dated July 28, 1938, reads:

"Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 28, 1940; and

WHEREAS, the building is three stories and cellar (35 ft. 6 in.) in height, 50 ft. by 100 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1920, and occupied: basement, storage of baled cork, 2 persons; first story, manufacture of cork, 12 persons; second story, manufacture of cork and office, 20 persons; third story, manufacture of cork, 22 persons; and

WHEREAS, Certificate of Occupancy No. 7615 was issued February 9, 1921, permitting factory use throughout the building; and

WHEREAS, the applicant contends that the cellar in question is used for the storage of baled cork, which is a non-combustible product; that there is a fireproof, enclosed stair inside the building at the front corner leading to the cellar; that there are a series of windows in the front of the building extending 1 foot above the sidewalk, which run the entire width of the building and which provide a means of ventilation; that the boiler room is enclosed in 12-inch brick walls.

Resolved, that the order of the fire commissioner, Order No. 993-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that hangers and fittings shall be of malleable iron.

454-40-A.

APPLICANT—Moe Abrams, for Joseph M. Connaughton, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-01 63rd avenue, north side, 220 ft. west of 136th street (Block No. 6390, Lot No. 26), Flushing, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Moe Abrams.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(454-40-A)

WHEREAS, Moe Abrams, for Joseph M. Connaughton, owner, filed May 1, 1940, an appeal from a decision of the borough superintendent of buildings (under section 35, General City Law—re Bed of Mapped Street), pursuant to

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section 35 of the General City Law; premises 135-01 63rd avenue, north side, 220 ft. west of 136th street (bed of 135th street as proposed); (Block No. 6390, Lot No. 26), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 2231-1940, dated April 10, 1940, reads:

"2. Location is in bed of street."

and

WHEREAS, the premises consist of a plot 44.71 ft. by 100 ft. in area, upon which it is proposed to erect a one and one-half-story frame one-family dwelling, 22 ft. in height, 27 ft. by 42 ft. in area, and to be located in a residence use D area district; and

WHEREAS, the applicant contends that the proposed dwelling is directly in line with the dwelling permitted to be erected under Cal. No. 993-39-A; that the property was acquired on July 25, 1939.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 2231-1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the power given to the Board under section 35 of the General City Law, *on condition* that in all other respects the building shall comply with the requirements of all laws, rules and regulations applicable thereto for a building erected in an area zoned for residential uses outside the fire limits, and in all other respects shall comply with the zoning regulations of the adjoining plot to the east.

468-40-A.

APPLICANT—Samuel Rosenblum, for Emigrant Industrial Savings Bank, owner (Mayflower Ice Cream Company, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—42-25 Vernon boulevard, northeast corner of 43rd avenue (Block No. 462, part of Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(468-40-A)

WHEREAS, Samuel Rosenblum, for Emigrant Industrial Savings Bank, owner, filed May 13, 1940, an appeal from an order of the fire commissioner; premises 42-25 Vernon boulevard, northeast corner of 43rd avenue (Block No. 462, part of Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 83546-LC, dated April 23, 1940, reads:

"2. Discontinue and remove the direct method of refrigeration from that part of the building prohibited by C-19-98-b, Administrative Code."

and

WHEREAS, the building is one and two stories (125 ft.) in height, 262 ft. by 82 ft. in area at first story and 46 ft. by 82 ft. in area at second story; of Class 1 construction; located in an unrestricted use district; erected in 1900, and occupied: cellar, storage, no persons; first story, manufacture of ice cream, 25 persons; second story, refrigeration and pasteurizing, 2 persons; and

WHEREAS, the applicant contends that the building is occupied by one tenant; that there are three small freezing machines on the second story connecting to the ammonia

system on the first story, which system was permitted by the Fire Department to be installed; that there is a fireproof enclosed stairway leading from second story to first story and a fire escape leading from second story direct to Vernon boulevard; that in view of the fact that the building is occupied by a single tenant it is requested that the installation of the system on the second story be permitted to remain.

Resolved, that the order of the fire commissioner, Order No. 83546-LC, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that the refrigerating system shall be maintained to the satisfaction of the fire commissioner in all other respects.

498-40-A.

APPLICANT—Frank V. Laspia, for Sam Schechter, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—69 Moore street, north side, 100 ft. west of Graham avenue (Block No. 3096, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Augusta.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(498-40-A)

WHEREAS, Frank V. Laspia, for Sam Schechter, owner, filed May 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 69 Moore street, north side, 100 ft. west of Graham avenue (Block No. 3096, Lot No. 27), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on N. B. Application No. 503-40, dated May 1, 1940, reads:

"1. Use of frame party wall as an enclosure wall for proposed one story building to be used for business purpose, is contrary to 4.2.1 of Code."

and

WHEREAS, the proposed building will be one story (14 ft. 4 in.) in height, 25 ft. by 90 ft. in area; of Class 3 construction; located in an unrestricted use district, and occupied as a store; and

WHEREAS, it is proposed to use the existing frame party wall as part of the enclosed wall for the building in question, as shown on the plans filed with the borough superintendent of buildings; and

WHEREAS, the applicant contends that the frame party wall where used will be lined with 3-inch terra cotta blocks on the inside; that due to soil conditions, it is impractical to construct foundations at this point, and therefore necessary to use the existing party wall foundation; that the adjoining frame building is used for business purposes, as was the building which existed at this site prior to the demolition.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 503-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the 3-inch terra cotta block facing against the existing frame party wall in lieu of the requirements of the Building Code, *on condition* that the building shall not be increased in height beyond that proposed, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

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499-40-A.

APPLICANT—Ajax Contracting Company, Incorporated, for Guaranty Trust Company of New York, owner (Emanuel Moliterni, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—559 Water street, south side, 72 ft. west of Clinton street (Block No. 246, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(499-40-A)

WHEREAS, Ajax Contracting Company, Incorporated, for Guaranty Trust Company of New York, owner, filed May 10, 1940, an appeal from an order of the fire commissioner; premises 559 Water street, south side, 72 ft. west of Clinton street (Block No. 246, Lot No. 17), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 21672-LC, dated April 11, 1940, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Install an automatic sprinkler system. Sec. C19-149-0-C-4, Art. 26, Administrative Code."

and

WHEREAS, the building is five stories (53 ft. 6 in.) in height, 24 ft. by 74 ft. 4½ in. in area; of Class 3 construction; located in an unrestricted use district; erected prior to 1894, and occupied: cellar, baling of waste paper and rags; first story, sorting of waste paper and rags; second story, baling of waste paper and rags; third story, storage of waste paper and rags; fourth story, baling of waste paper and rags; fifth story, storage of waste paper and rags; eight persons throughout the entire building; and

WHEREAS, the applicant contends that the present occupant has had a permit for the storage of one to five tons of waste, which permit expired on November 7, 1939; that there are seldom more than five tons of loose and baled waste paper and rags in the building; that the floors are good for 200 pounds; that the building is equipped with a fire escape on the front; that there are no openings in the buildings facing this building at the rear; that the installation of a sprinkler system would be a hardship; that in view of these facts a variance is requested so as to omit the sprinkler system as required by the Fire Department order.

Resolved, that the order of the fire commissioner, Order No. 21672-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor; that *on the further condition* that at no time over night shall more than three (3) tons of un-baled waste be maintained within the building; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

505-40-A.

APPLICANT—Jack Z. Cohen, for 200 West 58th Street Corporation, owner (Victor Adler, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—910-916 Seventh avenue and 200 West 58th street, southwest corner (Block No. 1029, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(505-40-A)

WHEREAS, Jack Z. Cohen, for 200 West 58th Street Corporation, owner, filed May 13, 1940, an appeal from a decision of the borough superintendent of buildings; premises 910-916 Seventh avenue and 200 West 58th street, southwest corner (Block No. 1029, Lot No. 36), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Application 567-40, dated May 7, 1940, reads:

"Drop ceiling and mezzanine in southerly store, 1st floor must be constructed entirely of incombustible materials and be properly supported. Work on ceiling contrary to Section C26-461.0."

and

WHEREAS, Violation No. 529-40 was issued March 29, 1940, for the construction of a drop ceiling and mezzanine composed of combustible materials without having obtained a permit; and

WHEREAS, the decision of the borough superintendent of buildings refers to the southerly store, known as No. 910 Seventh avenue; and

WHEREAS, the building is twelve stories (144 ft.) in height, 100 ft. by 90 ft. in area; of Class 1 construction; erected in 1912; located in a retail use district, and occupied: cellar, boiler room and janitor's apartment; first story, two families and stores; second to twelfth stories, inclusive, five families each story; and

WHEREAS, the applicant contends that the store in question is approximately 13 ft. by 50 ft. in area; that upon possession of the store the tenant found a frame mezzanine already erected; that in undertaking to furnish the store, he constructed a false ceiling covered with Celotex, which reduced the height of the story to 11 ft.; that the store in question is occupied as a soda fountain and luncheonette; that no fat boiling or heavy cooking is done; that since the store is of such small area and the Celotex is the only decorative, and that since the frame mezzanine was already constructed at the time the tenant took possession and will be used for only one person, it is respectfully requested that a modification be granted on requirements of the Code.

Resolved, that the decision of the borough superintendent of buildings, acting on B.N. Applic. 567-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the store shall not be increased in area and shall be separated from all other portions of the first story of the building by walls of terra cotta block not less than 3 inches in thickness, plastered on both sides, and *on condition* that there shall be installed near the cooking equipment an approved chemical extinguisher, as required by the fire commissioner for such purpose.

511-40-A.

APPLICANT—Ajax Contracting Company, Incorporated, for Healy Realty Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—143-147 Columbus avenue and 71 West 66th street, northeast corner (Block No. 1119, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman E. Horwood.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(511-40-A)

WHEREAS, Ajax Contracting Company, Incorporated, for Healy Realty Company, Incorporated, owner, filed May 14, 1940, an appeal from a decision of the borough superintendent of buildings; premises 143-147 Columbus avenue and 71 West 66th street, northeast corner (Block No. 1119, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 343-38 for a certificate of occupancy, dated April 18, 1940, reads:

"1. All windows in easterly wall of building within 30 feet of openings in neighboring building should be lawfully fire protected."

and

WHEREAS, the building is four stories (49 ft. 9 in.) in height, 100 ft. 5 in. by 100 ft. in area; of Class 3 construction; located in a business use district; erected prior to 1898, and occupied: cellar, boiler room and storage, 1 person; first story, stores and restaurant, 155 persons; second story, billiard room, 150 persons; third story, dance hall, 200 persons; fourth story, dance hall, 200 persons; and

WHEREAS, the applicant contends that the building has been used for similar purposes since its erection; that the objection would not apply if the building were not over 40 ft. in height; that the building is 49 ft. 9 in. to the highest point of roof beams; that there is one line of windows on the wall adjoining the premises at the northeast; that there are eleven windows affected; that the building to the east is fireproof and the windows in said building are protected with iron shutters; that the windows on the building in question face the east and are affected because of two small openings in the buildings adjoining to the east, approximately on the line of the third and fourth stories and 20 ft. from the wall of the building in question; that due to the fact that the building is but 9 ft. 9 in. from the 40 ft. height, and that the exposure at the northerly end is from a fireproof roof or from windows equipped with closed iron shutters, the applicant requests this modification so as to permit a continuance of this condition.

Resolved, that the decision of the borough superintendent of buildings, acting on Applic. No. 343-38, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that all windows within the stairhall enclosure of the stair leading to West 66th street shall be made fireproof and self-closing; that the windows on each floor adjacent to the northerly wall at the rear shall be made fireproof and self-closing; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

533-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-04 185th street, southwest corner of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Bertram M. Bernard.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(533-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed May 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-04 185th street, southwest corner of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2719-40, dated April 26, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area; located in an unrestricted use D area district, upon which it is proposed to erect a two-story frame dwelling, 25 ft. by 26 ft. 10 in. in area, and a one-story, one-car garage, 19 ft. by 11 ft. in area; and

WHEREAS, the applicant contends that the proposed building is part of the development of similar type one and two-story frame dwellings to be erected, and that a variance is requested similar to those granted by the Board on Cal. Nos. 674-39-A, 1394-39-A and other appeals.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 2719-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to proposed residence building, to permit the erection of a frame building as proposed, substantially as shown on new building application filed with the borough superintendent of buildings, *on condition* that the occupancy of such building shall be limited to the residential occupancy of one family; that the building shall comply with the requirements for an F area district, except that the distance between this building and the building on the adjoining plot is not more than 12 ft. in width and that the side yard along 58th avenue is not less than 10 ft. in width, except for the chimney breast which may extend into the side yard for a distance of not more than 2 ft.; and *granted*, as to the garage, so as to permit the construction of a garage as shown on plans filed with application in the Building Department, provided the garage shall be constructed of approved masonry, with or without masonry veneer; that no garage shall be erected nearer than 1 foot to either side lot line or rear lot line; that roofs of the residence building and garage shall be surfaced with natural slate, approved asbestos or asphalt shingles; that the gable ends of the garage adjoining the lot line shall be of fire-retarded construction; that this residence shall be subject to a private restriction extending from North Hempstead Turnpike northerly to 58th avenue, and that an affidavit to this effect shall be filed with the borough superintendent of buildings; that in all other respects the building shall comply with the requirements for a residential building erected outside the fire limits; that the garage shall be used exclusively as an accessory to the one-family residential buildings herein permitted on the plot under appeal.

534-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-55 186th street, east side, 520 ft. south of 58th avenue (Block No. 5690, Lot No. 38), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Bertram M. Bernard.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-

MINUTES

Carthy 4
Negative 0

THE RESOLUTION—

(534-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed May 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-55 186th street, east side, 520 ft. south of 58th avenue (Block No. 5690, Lot No. 38), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2717-40, dated April 30, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and
WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area; located in an unrestricted use D area district, upon which it is proposed to erect a two-story frame dwelling, 23 ft. by 27 ft. in area, and a one-story one-car garage, 19 ft. by 11 ft. in area; and

WHEREAS, the applicant contends that the proposed building is part of the development of similar type one and two-story frame dwellings to be erected, and that a modification is requested similar to those granted by the Board on Cal. Nos. 674-39-A, 1394-39-A and other appeals.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 2717-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to proposed residence building, to permit the erection of a frame building as proposed, substantially as shown on new building application filed with the borough superintendent of buildings, *on condition* that the occupancy of such building shall be limited to the residential occupancy of one family; that the building shall comply with the requirements for an F area district, except that one side yard need not be more than 5 ft. in width and provided the distance between the house and the house on the adjoining plot is not less than 15 ft., and except that the chimney breast may extend into the side yard for a distance of not more than 2 ft., and *granted*, as to the garage, to permit the construction of a garage as shown on plans filed with application in the Building Department, provided the garage shall be constructed of approved masonry, with or without masonry veneer; that no garage shall be erected nearer than 1 foot to either side lot line or rear line; that roofs of the residence building and garage shall be surfaced with natural slate, approved asbestos or asphalt shingles; that the gable ends of the garage adjoining the lot line shall be of fire-retarded construction; that this residence shall be subject to a private restriction extending from North Hempstead Turnpike northerly to 58th avenue, and that an affidavit to this effect shall be filed with the borough superintendent of buildings; that in all other respects the building shall comply with the requirements for a residential building erected outside the fire limits; that the garage shall be used exclusively as an accessory to the one-family residential building herein permitted on the plot under appeal.

535-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings

PREMISES AFFECTED—58-49 186th street, east side, 480 ft. south of 58th avenue (Block No. 5690, Lot No. 40), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Bertram M. Bernard.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(535-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed May 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-49 186th street, east side, 480 ft. south of 58th avenue (Block No. 5690, Lot No. 40), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2716-40, dated May 2, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and
WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area; located in an unrestricted use D area district, upon which it is proposed to erect a one-story one-family frame dwelling, 25 ft. 6 in. by 42 ft. in area, and a one-car garage, 19 ft. by 11 ft. in area; and

WHEREAS, the applicant contends that the proposed building is part of the development of similar type one and two-story frame dwellings to be erected, and that a variance is requested similar to those granted by the Board on Cal. Nos. 674-39-A, 1394-39-A and other appeals.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 2716-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to proposed residence building, to permit the erection of a frame building as proposed, substantially as shown on new building application filed with the borough superintendent of buildings, *on condition* that the occupancy of such building shall be limited to the residential occupancy of one family; that the building shall comply with the requirements for an F area district, except that one side yard need not be more than 5 ft. in width and provided the distance between the house and the house on the adjoining plot is not less than 15 ft., except for chimney breast, which may extend into the side yard for a distance of not more than 2 ft., and *granted*, as to the garage, to permit the construction of a garage as shown on plans filed with application in the Building Department, provided the garage shall be constructed of approved masonry, with or without masonry veneer; that no garage shall be erected nearer than 1 foot to either side lot line or rear line; that roofs of the residence building and garage shall be surfaced with natural slate, approved asbestos or asphalt shingles; that the gable ends of the garage adjoining the lot line shall be of fire-retarded construction; that this residence shall be subject to a private restriction extending from North Hempstead Turnpike northerly to 58th avenue, and that an affidavit to this effect shall be filed with the borough superintendent of buildings; that in all other respects the building shall comply with the requirements for a residential building erected outside of the fire limits; that the garage shall be used exclusively as an accessory to the one-family residential building herein permitted on the plot under appeal.

536-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-03 185th street, southeast corner of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Bertram M. Bernard.

MINUTES

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(536-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed May 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-03 185th street, southeast corner of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 2715-40, dated April 26, 1940, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area; located in an unrestricted use D area district, upon which it is proposed to erect a two-story one-family frame dwelling, 25 ft. by 26 ft. 2 in. in area at the first story and 25 ft. by 26 ft. 10 in. at the typical floor level, with a one-car garage, 19 ft. by 11 ft. in area; and

WHEREAS, the applicant contends that the proposed building is part of the development of similar type one and two-story frame dwellings to be erected, and that a variance is requested similar to those granted by the Board on Cal. Nos. 674-39-A, 1394-39-A and other appeals.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 2715-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to proposed residence building, to permit the erection of a frame building as proposed, substantially as shown on new building application filed with the borough superintendent of buildings, *on condition* that the occupancy of such building shall be limited to the residential occupancy of one family; that the building shall comply with the requirements for an F area district, except that the distance between this building and the building on the adjoining plot is not more than 12 ft. in width, and that the side yard along 58th avenue is not less than 10 ft. in width, and except that the chimney breast may extend into the side yard for a distance of not more than 2 ft., and *granted*, as to the garage, so as to permit the construction of a garage as shown on plans filed with application in the Building Department, provided the garage shall be constructed of approved masonry, with or without masonry veneer; that no garage shall be erected nearer than 1 foot to either side lot line or rear lot line; that roofs of the residence building and garage shall be surfaced with natural slate, approved asbestos or asphalt shingles; that the gable ends of the garage adjoining the lot line shall be of fire-retarded construction; that this residence shall be subject to a private restriction extending from North Hempstead Turnpike northerly to 58th avenue, and that an affidavit to this effect shall be filed with the borough superintendent of buildings; that in all other respects the building shall comply with the requirements for a residential building erected outside the fire limits; that the garage shall be used exclusively as an accessory to the one-family residential building herein permitted on the plot under appeal.

538-40-A.

APPLICANT—Charles A. Garvey, for Charles A. Garvey and Hortense G. Farrell, owners (N. Mastronardi Sons, Incorporated, lessees, and Ambrose Galante, sub-lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—24 Chestnut street, east side, 23 ft. 3 in. south of Madison street, and 24 New Bowery (Block No. 115, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward J. Barry and Charles A. Garvey.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(538-40-A)

WHEREAS, Charles A. Garvey, for Charles A. Garvey and Hortense Farrell, owners, filed May 18, 1940, an appeal from an order and a decision of the fire commissioner; premises 24 Chestnut street, east side, 23 ft. 3 in. south of Madison street, and 24 New Bowery (Block No. 115, Lot No. 15), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 21535-LC, dated March 29, 1940, reads:

"1. Before a permit may be issued for the storage and use of a combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system.

Section C19-149.0-c-4, Article 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated April 24, 1940; and

WHEREAS, the building is three stories (36 ft. 2 in.) in height, 25 ft. by 69 ft. 10 in., irregular in area; located in an unrestricted use district; of Class 3 construction; erected in 1825, and occupied since 1910 as follows: cellar, storage of paper stock; first story, same; second story, storage and baling of paper; third story, storage of paper stock; seven persons throughout the building; and

WHEREAS, the applicant contends the public halls and bulkheads to the roof are fire-retarded; that the building is equipped with a counterbalanced fire escape at the rear; that in lieu of compliance, it is proposed to equip the building with portable fire-fighting equipment subject to the approval of the fire commissioner.

Resolved, that the order of the fire commissioner, Order No. 21535-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic sprinkler system complying with the requirements of the Building Code therefor, except that the central district alarm may be omitted; that the trap doors throughout the building shall be controlled by fusible links, so as to close in case of fire; that the siamese may be installed on the New Bowery side only and may be of the single hose type; that this variance is permitted only so long as the building is occupied substantially as at present and maintained to the satisfaction of the fire commissioner; that no windows shall be constructed in the interior lot line walls; that the existing trap door on New Bowery shall be maintained; that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct.

546-40-A.

APPLICANT—James Anderson, Jr., for Rubel Corporation, owner (Blue Ribbon Ice Cream Company, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—1864 Atlantic avenue and 64-68 Rochester avenue, southwest corner (Block No. 1337, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: James Anderson, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(546-40-A)

WHEREAS, James Anderson, Jr., for Rubel Corporation, owner (Blue Ribbon Ice Cream Company, Incorporated), filed May 20, 1940, an appeal from an order and a decision of the fire commissioner; premises 1864 Atlantic avenue and 64-68 Rochester avenue, southwest corner (Block No. 1537, Lot No. 59), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 82521-LC, dated February 2, 1940, reads:

"1. Discontinue and remove the direct method of refrigeration from that part of the building prohibited by Section C19-98-b, of the Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated May 10, 1940; and

WHEREAS, the building is two stories (36 ft.) in height, 158 ft. 6 in. by 66 ft. in area; of Class 3 construction; located in a business use district; erected approximately thirty-five years ago, and occupied: first story, engine room and ice cream hardening room, 6 persons; second story, ice cream manufacture and hardening, 6 persons; and

WHEREAS, the applicant contends that the portion of the refrigeration system in question was installed in 1927 on the second story as an extension to the direct expansion ammonia equipment; that the installation consists of direct expansion ammonia coils situated in the ice cream hardening room; that the extension in 1936 consisted of three direct expansion freezers for the manufacture of ice cream; that the extension in 1927 was made under the assumption that the owner would add to the existing equipment; that the extension as it now exists would comply with the proposed Refrigeration Code now before the City of New York.

Resolved, that the order of the fire commissioner, Order No. 82521-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the system shall be maintained to the satisfaction of the fire commissioner, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

548-40-A.

APPLICANT—Andrew F. Weber, for Mildred McElroy, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—146-16 New York boulevard, west side, 295 ft. north of 146th drive (Block No. 4513, Lot No. 70), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Andrew F. Weber and Eugene McElroy.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(548-40-A)

WHEREAS, Andrew F. Weber, for Mildred McElroy, owner, filed May 21, 1940, an appeal from a decision of the borough superintendent of buildings; premises 146-16 New York boulevard, west side, 295 ft. north of 146th drive (Block No. 4513, Lot No. 70), Springfield, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application 2772-40, dated May 3, 1940, reads:

"2. Conversion of a frame building to business use is contrary to Section 4.2.1 of Building Code."

and

WHEREAS, the building is two stories and attic (24 ft.) in height, 22 ft. by 41 ft. in area; located on a lot 85 ft. by 133 ft. in area; in a business and residence use district; of Class 4 construction; erected in 1892, and occupied: cellar, storage and boiler room; first story, dwelling, one family; second story, dwelling, one family; attic, no occupancy; it is proposed to occupy the building as follows: cellar, same; first story, funeral parlor and undertaking establishment, 57 persons; second story, dwelling, one family; attic, vacant; and

WHEREAS, the applicant contends that the building was erected in 1892 as a one-family dwelling and later changed; that the building is located entirely in the business portion of the building with side yards of 27 and 28 ft. respectively; that the second story will be occupied by the owner and her family in connection with the undertaking establishment on the first story; that it is not intended to store any motor vehicles in connection with the business nor any undertaking equipment in the garages in the residential portion; that due to a misunderstanding the property was purchased in the belief that it could be used for business purposes; that it is of no value to the owner unless it can be so used; that such alterations as necessary will be made to satisfy the borough superintendent of buildings; that if the appeal is not granted the owner will suffer a hardship.

Resolved, that the decision of the borough superintendent of buildings, acting on Misc. Applic. 2772-40, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall comply in all respects with the requirements for a building erected outside the fire limits; that the business occupancy shall be restricted to the first story only; that the exits shall be as shown on plans filed with the borough superintendent of buildings; that no additional building shall be erected on the lot; that the side yards and the building shall not be further extended so as to reduce the width of the existing side yards; that the cellar ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the existing garages located within the residential use district shall be used solely as garages, accessory to the residential occupancy of this building; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

VARIATIONS OF THE LABOR LAW.

463-40-S.

APPLICANT—Joseph Lau, for Mrs. Albert Hansche, in trust for Nancy Kesser, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 18, 1940, at 2 P.M., for inspection by a committee of the Board.

MINUTES

461-40-S.

APPLICANT—Irving M. Fenichel, for Rae Mazaroff, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2712-2716 Church avenue, south side, 100 ft. west of Lloyd street (Block No. 5105, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

APPLIANCE SUBMITTED FOR APPROVAL.

605-38-SA.

APPLICANT—General Electric Company, owner.

SUBJECT—Application for reopening—amendment—re General Electric Oil Burner, Models LA 3 and LA 6, to include approval of additional Models LA 20, LA 22, LA 32, LA 34, LA 42, LA 44 and LA 54.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(605-38-SA)

WHEREAS, General Electric Company, owner, filed July 12, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the General Electric Oil Burner, Models LA 3 and LA 6; and

WHEREAS, this appliance was approved by vote of the Board November 9, 1938, in accordance with the report of the Committee on Tests; and

WHEREAS, the applicant requested approval of additional models; and

WHEREAS, these additional models were submitted to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 605-38-SA.

Subject: Amendment of resolution to include approval

of additional Models LA 20, 22, 32, 34, 42, 44 and 54.

Under date of November 9, 1938, the Board of Standards and Appeals approved the General Electric Oil Burner, Models LA 3 and LA 6, for use on domestic and commercial installations with fuel oil not heavier than No. 3, Department of Commerce standards. Request is now made for approval of Models LA 20, LA 22, LA 32, LA 34, LA 42, LA 44 and LA 54.

These additional models are mechanical draft oil burners designed for use in Special General Electric hot water or steam boilers and warm air furnaces. They differ from the Models LA 3 and LA 6, except as to oil capacity, which is 0.94 gallons per hour for LA 22, 1.33 gallons per hour for LA 32, 1.91 gallons per hour for LA 34, 2.65 gallons per hour for LA 42, 3.37 gallons per hour for LA 44 and 4.25 gallons per hour for LA 54. The controls are similar in all types but vary as to whether used in steam or hot water or vapor furnaces.

The models have been approved by the Underwriters' Laboratory, Misc. Pet. 679, dated March 16, 1940.

Inspection and test of these models was made at 1531 Flatbush avenue by representatives of the Board of Standards and Appeals and of the Fire Department and the burner was found to operate satisfactorily, shutting down in ninety seconds when oil was shut off.

On the basis of this test it is recommended that the resolution adopted by the Board November 9, 1938, be reopened and amended to include Models LA 22, LA 32, LA 34, LA 42, LA 44 and LA 54 under the conditions then set forth.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution adopted November 9, 1938, so as to include approval of these additional models.

Resolved, that the Board of Standards and Appeals hereby amend the resolution adopted November 9, 1938, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the General Electric Oil Burner, Models LA 3, LA 6, LA 20, LA 22, LA 32, LA 34, LA 42, LA 44 and LA 54, *on condition* that the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report."

Adjourned, 5:35 P.M.

JOSEPH J. DOYLE, Chief Clerk.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1940 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts,

are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

PUBLIC HEARING

PROPOSED RULES FOR THE MANUFACTURE, TESTING AND USE OF CONCRETE MASONRY UNITS.

(639-40-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 12, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

SCOPE:

These rules shall apply only to concrete hollow or solid masonry blocks or tiles irrespective of use, size, shape and aggregates used in their manufacture, so as to obtain the quality of material intended within the scope of C26-309.0 (7.1.1.4), C26-412.0 (8.4.1), as further supplemented by these rules.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, paragraph a, (2.2.1.1.) a, and C26-305.0 (7.1.1.), and C26-412.0 (8.4.1).

1.0 DEFINITIONS.

1.1. Aggregate—The term "aggregate" shall mean inert material which is mixed with cement and water to produce concrete, consisting, in general of sand, pebbles, gravel, cinders, crushed stones, blast furnace slag, burnt shale or clay, or similar materials. Section C26-10.0a (1.2). Dense aggregates, such as sand, pebbles, crushed stones and crushed slag, shall be sound and durable and free from excessive amounts of dust, soft or flaky particles, or shale or other deleterious material. Concrete (block) Product aggregates shall consist of natural sands and gravels, crushed rock, or blast furnace slag, burnt shale, or clay, or other inert materials having clean uncoated grains of strong and durable minerals. It shall be unlawful to use aggregates containing soft, friable, thin, flaky, elongated or laminated particles in excess of three percent, or containing shale in excess of one and one-half percent, or silt and crusher dust finer than the No. 100 standard sieve in excess of two percent. When all three groups of such deleterious materials are present in the aggregates, the combined amounts shall be less than five percent of the combined aggregate. These percentages shall be based on the weight of the combined aggregate as used in the concrete. The maximum size of the aggregate is the clear space between the sides of the smallest square opening through which eighty-five percent by weight of the coarse aggregate can be passed. See C26-315.0 (7.1.2.1). All aggregates shall be free from frost or lumps of frozen material. Where stationary aggregate bins are provided, a coil of steam pipe shall be arranged around the outlet of the bin so that the aggregates can be heated to remove frost and frozen lumps. To facilitate proportioning between fine and coarse aggregates, they shall be separately stored.

1.1.1 Fine Aggregate—All fine aggregate except sand as defined in 1.18 shall be considered as material passing a screen with four meshes per linear inch and shall have at least 15 percent retained on a number 8 screen and consisting of particles one quarter of an inch or less in size. See C26-10.0b (1.2).

1.1.2 Coarse Aggregate—shall be considered as material retained on a screen having four meshes per linear inch, the maximum size shall not exceed 1/3 the thickness of the thinnest web of any concrete masonry unit.

1.2 Blast Furnace Slag—The term "blast furnace slag" shall mean the non-metallic product, consisting

essentially of silicates and alumino-silicates of lime, which is developed simultaneously with iron in a blast furnace. C26-24.0 (1.15).

1.3 Cement—Cement for use under these rules shall include only those Portland Cements, or High Early Strength Portland Cements as are approved by the Board. See C26-312.0, c (7.1.1.7.1).

1.4 Cinders—Cinders may contain a maximum of thirty-five percent by weight of unconsumed carbon and a maximum of one-half percent by weight of sulphur. Section C26-309.0 (7.1.1.4). Such cinders shall be of uniform quality, free from dirt, excessive dust, or other injurious or extraneous matter.

1.5 Concrete Brick—Concrete brick shall consist of a structural unit, usually solid, of a size approximately 8 in. x 3 3/4 in. x 2 1/4 in., except as provided in Rule 6.1.4 with net cross-sectional area at least 75 percent of the gross area. It shall consist of a mixture of Portland Cement and other aggregates to produce a material to meet the strength requirements of Subdivision "a" of Section C-26-307 or C-26-359.0. See C-26-26.0 (1.1.7).

1.6 Concrete Block Products—The term "concrete block products" shall mean bricks, blocks or other units made of cement, aggregates, and water. C26-39.0 (1.30).

1.7 Crushed Stone—The term "crushed stone" shall mean bedded rock or boulders, broken by mechanical means into fragments of varying shapes and sizes. C26-44.0 (1.35).

1.8 Faced Wall—The term "faced wall" shall mean a wall faced with masonry in which the facing and backing are so bonded, or so bonded and anchored, with masonry as to exert common action under load. C26-62.0 (1.5.4).

1.9 Filler Blocks—Filler blocks shall consist of concrete masonry units permanently set in a ribbed floor system and which, when so used, may have structural properties in accordance with the limitations as provided in C26-476.0 (8.5.8).

1.10 Gravel—The term "gravel" shall mean rounded particles, larger than sand grains, resulting from the natural disintegration of rocks. C26-79.0 (1.71).

1.11 Hollow Unit—The term "hollow unit" shall mean any masonry unit whose net cross-sectional area is less than seventy-five percent of its gross cross-sectional area in any plane, measured in the same plane. C26-83.0 (1.75).

1.12 Hollow Masonry—The term "hollow masonry" shall mean masonry consisting wholly or in part of hollow units meeting the strength requirements of sections C26-308.0, C26-309.0, and C26-310.0, and in which the units are laid contiguously with the joints filled with mortar. C26-84.0 (1.76).

1.13 Hollow Wall—The term "hollow wall" shall mean a wall built of solid masonry units so arranged as to provide an air space within the wall. C26-85.0 (1.77).

1.14 Masonry—The term "masonry" shall mean stone, brick, concrete, hollow tile, concrete block or tile, or other similar building units, or materials or a combination of them, bonded together with mortar. C26-93.0 (1.85).

1.15 Non-Bearing Wall—The term "non-bearing wall" shall mean any wall which carries no load other than its own weight. C26-98.0 (1.90).

1.16 Partition—The term "partition" shall mean a non-bearing interior wall one story or less in height. C26-108.0 (1.101).

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1.17 Plaster—The term "plaster" shall mean gypsum or cement plaster. Unless otherwise provided, plaster shall be $\frac{1}{2}$ in. of Portland cement plaster consisting of one part Portland cement, three parts sand and 10% lime putty or $\frac{1}{2}$ in. of gypsum plaster consisting of a scratch coat of $\frac{3}{8}$ in. bond plaster finished with $\frac{1}{8}$ in. white coat of lime putty or other approved finishing material.

1.18 Sand—The term "sand" shall mean small grains one-quarter of an inch or less in size resulting from the natural disintegration of rocks. C26-131.0 (1.126). Sand shall be clean, sharp, coarse and siliceous, free from salt, lime, clay or other foreign materials. C26-312.0 (7.1.1.7.5).

1.19 Solid Masonry—The term "solid masonry" shall mean masonry consisting of stone, brick, sand-lime or concrete brick, or other solid masonry units, or a combination of these materials, laid contiguously with the spaces between the units filled with mortar, or monolithic concrete. Section C26-136.0 (1.131).

1.20 Solid Structural Unit—The term "solid structural unit" shall mean a building unit having a gross volume at least fifty percent greater than a brick, with a net cross-sectional area in any plane at least seventy-five percent of the gross cross-sectional area measured in the same plane. C26-137.0 (1.132).

1.21 Veneered Wall—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability. C26-157.0 (1.148). Also see Rule 9.1.5.2.

1.22 Water—Water shall be clean, free from all organic materials, strong acids or alkalis, or shall be the water used in the city for drinking purposes. C26-312.0 (7.1.1.7.6).

1.23 Water-Cement Ratio—The term "water-cement ratio" shall mean the total quantity of water entering the mixture, including the surface water carried by the aggregate, expressed in terms of the quantity of cement. The water-cement ratio shall be expressed in United States gallons per ninety-four pound sack of cement. C26-160.0 (1.152).

2.0 CONCRETE (BLOCK) PRODUCT MATERIALS AND WORKMANSHIP.

2.1 Materials—The materials used in the manufacture of concrete block products shall consist of approved Portland Cement or high early strength Portland Cement, mixed with such aggregates as sand, crushed stone, gravel, clean cinders, processed blast furnace slag and burned clay or shale. These materials shall be mixed in such proportions with the proper water cement ratio and so cured that the finished product shall be suitable to the requirements of the specific uses for which approval is sought.

2.2 Fixing of Batches—Batching of all materials shall be by either volume or by weight.

2.3 Water Cement Ratio—The water cement ratio when once determined for any type of concrete masonry unit shall be maintained throughout the manufacture of that particular unit. Corrections shall be made for the water content of the aggregate and a continuous record of the amount of water added per batch with an estimated allowance for the surface water within the aggregate, shall be kept and made available for inspection during working hours.

2.4 Proportions—The aggregate and the cement shall be proportioned in such a manner that the finished product will meet the quality and strength specifications contained in these rules. The maximum proportions of coarse aggregate, however, shall not exceed fifty percent of the total aggregate as defined herein.

2.5 Quality of Cement (Block) Products—The fin-

ished product shall be within the sizes as listed herein, free from cracks and other defects affecting the use and strength of the units and shall be sound in every respect.

2.5.1 The finished product shall have surface texture, color and size suitable to the requirements of its proposed usage.

3.0 SIZES OF CONCRETE (BLOCK) PRODUCTS.

3.1 Height—The height of hollow or solid concrete (block) products for load bearing walls shall not be more than 8 inches. The height of hollow or solid concrete block products for non-load bearing walls shall not be more than 12 inches.

3.2 Thickness—The thickness or width of hollow or solid concrete (block) products for load bearing walls and partitions shall not be less than 4 inches. For non-load walls and bearing partitions, such thickness shall be not less than 3 inches. Units used in furring shall not be less than 2 inches split, 2 inches or 3 inches hollow.

3.3 Length—The length of hollow or solid concrete (block) products shall be not more than 18 inches, except in non-load bearing partitions such units may be not more than 24 inches in length.

3.4 Tolerance—A tolerance of plus or minus $\frac{1}{4}$ inch shall be permitted on all concrete (block) products, except in the web where the tolerance shall be $\frac{1}{16}$ inch.

3.5 Header Units—Header units for use with brick or stone masonry making a composite wall, shall not exceed three times the facing unit in height, with a maximum length of 18 inches with cutouts arranged to allow 4 inches of masonry bonding of the facing unit.

3.6.0 Fire Resistive Ratings—Concrete (block) products shall consist of area and thickness of webs and shells for specific uses, as follows:

3.6.1 Fire Walls—Concrete (block) products used as fire walls requiring a fire resistive rating of four hours, shall meet the following requirements:

1. Solid structural units 8 inches thick.
2. Solid cinder concrete blocks 8 inches thick.
3. Solid cinder concrete blocks 6 inches thick plastered on both sides.
4. Hollow concrete blocks (one piece) 12 inches thick with webs and shells at least $1\frac{1}{2}$ inches thick and at least 2 cells in wall thickness.
5. Hollow concrete blocks (one piece) 8 inches thick plastered on both sides, shells of which are at least $1\frac{1}{2}$ inches thick.
6. Hollow concrete block 4 inches in thickness when used as a backup with brick at least $3\frac{3}{4}$ inches in width, or limestone or terra cotta with $\frac{1}{2}$ inch of plaster on the concrete block side.
7. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-631.0 (10.4.1.1).

3.6.2. Fire Partitions—Concrete block products for use in fire partitions and shaft enclosures requiring a fire resistive rating of three hours shall meet the following requirements:

1. Solid cinder blocks 6 inches thick.
2. Hollow concrete block, 8 inches thick, provided calcareous, burnt clay or cinder aggregates are used and the shells are at least $1\frac{1}{2}$ inches thick, if unplastered and at least $1\frac{1}{4}$ inches thick if plastered.

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3. Hollow cinder block 6 inches thick with webs and shells at least 1 inch thick, plastered on one side.
4. Hollow cinder block 4 inches thick plastered on both sides.
5. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-633.0 (10.4.2.1).

3.6.3 Stairway Enclosures and Other Places Requiring Fire Resistive Rating of Two Hours—

Concrete block products for these uses shall meet the following specifications:

1. Solid structural units 8" thick.
2. Solid cinder block 4" thick.
3. Solid cinder block 3" thick plastered on both sides.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-635.0 (10.4.2.3).

3.6.4 Fireproof Partitions—

Concrete block for use in fireproof partitions requiring a one-hour fire resistive rating, shall meet the following specifications:

1. Solid concrete block 4" thick.
2. Solid cinder block 3" thick.
3. Hollow concrete block 3" thick plastered on both sides.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating.

3.6.5 Protection of Structural Steel—

Hollow or solid cinder concrete block and tile having a compressive strength of at least 700 p. s. i. of gross area may be used in thickness and ratings as follows:

1½"	1 Hour
2 "	2 Hour
2 "	3 Hour
2½"	4 Hour

See C26-575.0 (10.1.4).

3.6.6 Fire Resistive Rating of Other Materials—

Concrete (block) products of materials other than sand, crushed stone, gravel or cinders, shall be required to furnish test data, in accordance with the requirements of C26-571.0 (10.1.1) for the fire resistive rating sought.

4.0 MANUFACTURE OF CONCRETE BLOCK PRODUCTS—

4.1 Proportioning of Aggregates—

4.1.1 Proportioning of aggregate shall be by weight or volume. When the correct mixture is ascertained, the equipment shall be set in such a manner as to insure the batching of the materials in the correct proportions.

4.1.2 Batching of Cement—Cement shall be batched in bags weighing 94 lbs. When cement in bulk is used, because of its tendency to fluff, it shall be weighed and the batch fixed to correspond with the required amount of fluffed bulk cement.

4.1.3 Consistency—Concrete block units made from dense aggregates on tamp or pressure machines shall be mixed as wet as practicable and still preventing sagging or distortion. Concrete made on vibrating or jolting machines shall be mixed as dry as practicable so as to completely fill the molds and produce a pronounced water web on the surface without slumping or sagging. Where the wet cast method of manufacture is

used, the water content should be reduced to a minimum and the mixture vibrated and spaded so as to eliminate aggregate pockets and to insure filling of the molds.

4.1.3.1 Storage of Materials—Cement and aggregates shall be stored in such manner as to prevent deterioration or intrusion of foreign matter. Any material which has deteriorated or damaged shall not be used in the manufacture of concrete (block) products.

4.1.3.2 Freezing Weather—No concrete (block) products shall be manufactured during freezing weather unless artificial heat is provided so as to permit the manufacture, curing and drying of concrete (block) products of properties as provided in these Rules.

4.2 Mixing Machinery.

4.2.1 The dry mixing of dense aggregates and cement shall be for at least one minute before the addition of water. After the water is added, the mixture shall be mixed for at least four minutes.

4.2.2 After all materials are placed in the mixer, they shall be mixed continuously from 4 to 8 minutes.

4.2.3 The mixing machine shall be of such type and capacity so as to insure thorough mixing. Each mixing machine shall be provided with a device for measuring and controlling the added water. A clock for timing the mix, with a dial not less than 8 inches in diameter with a large swerp second hand, shall be provided and placed in such a position as to be readily readable by the operator of the mixer.

Where practicable the timing of the mixing shall be integrated with the capacity of the molding machine, in which event the manufacture shall certify that the mixer used is of a size that will product properly mixed materials in accordance with the mixing time as provided in Rule 4.2.0.

4.2.4 The block molding machinery shall consist of hand or power operated molding machines with compacting by pressure or tamping by hand or power, or by power vibration so as to produce concrete block products of such densities as required to produce strength and absorption values consistent with the rules and proposed use of the finished product. Precautions shall be taken to ascertain how much tamping or vibrating shall be provided so as to maintain the same density in all concrete (block) products, using the same ratio of fine and coarse aggregates, so as to maintain uniformity.

4.3 Curing of Concrete (Block) Products.

4.3.1 Method of Curing—All concrete (block) products shall be properly cured by either steam curing or by storing in an enclosed space and subjecting to artificial heat and moisture as follows:

4.3.1.1 Steam curing of freshly moulded units shall be accomplished by placing the units to be cured in a steel cylinder, room or tunnel made tight and so designed as to provide moisture above the saturation point at any temperature used. For low pressure steam and temperatures up to 140° F., the curing time shall not be less than 15 hours. For high pressure steam ranging from 120 to 125 p.s.i. and temperatures between 300-400° F. such period shall not be less than 6 hours. All units shall be properly dried prior to usage.

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4.3.1.2 Wet curing of freshly moulded units shall be accomplished by placing such units in reasonably tight rooms or enclosures heated to prevent freezing and equipped with fog nozzles to provide moisture. When the outside temperature drops below 50° F., heat in addition to moisture must be supplied to maintain a temperature of at least 50° F. for not less than 72 hours. After curing, such units shall be stored under cover and allowed to dry for at least 25 days prior to usage.

5.0 PROPERTIES OF CONCRETE (BLOCK) PRODUCTS.

5.1 Concrete (block) products shall have properties as follows:

a. Hollow concrete block or tile when delivered for use shall have a minimum ultimate compressive strength of seven hundred pounds per square inch of gross area tested as laid in the wall.

b. Solid concrete building block when delivered for use shall have a minimum ultimate compressive strength of fifteen hundred pounds per square inch tested as laid in the wall.

c. Such block or tile shall comply with the following requirements for general properties under visual inspection.

1. They shall be sound, of compact structure, reasonably uniform in shape and free from cracks, warpage or foreign substances which would affect their serviceability or strength.

2. If cinders form part or all of the aggregate, the cinders may contain a maximum of thirty-five per cent by weight of unconsumed carbon and a maximum of one and one-half percent by weight of sulphur.

d. When used in partitions, fireproofing and furring which are unexposed to the weather, solid or hollow concrete building block or tile having a minimum ultimate compressive strength of three hundred pounds per square inch of gross area tested as laid in the wall may be used. See C26-309 (7.1.1.4) as amended by local law 120, approved August 1, 1939, and local law Int. No. 220, passed April 25, 1940.

5.2 Test of Concrete (Block) Products.—

5.2.1 Concrete block products shall be tested in accordance with A. S. T. M. specification C140-39, after proper curing and drying except as follows:

5.2.1.1 High and Low Pressure Steam cured and properly dried blocks immediately after drying.

5.2.1.2 Units cured by artificial heat and sprinklered water when dried under cover may be tested and used in not less than 28 days. And when high early strength Portland Cement is used, such time shall not be less than 15 days.

5.2.1.3 Individual minimum compressive strengths of test specimens shall not be less than:

Hollow units 650 p.s.i. gross cross-sectional area

Solid units 1400 p.s.i. gross cross-sectional area

5.2.1.3.1 The speed of the moving head of the testing machine shall not exceed 0.05 inches per minute.

5.3 Absorption of concrete (block) products shall not exceed 15 pounds of water per cubic foot of concrete nor shall the moisture content when delivered exceed 40 percent of the total absorption based on an average of five units as tested.

5.3.1 Concrete (block) products not exposed to the elements or soil or protected by brick veneer or three coat Portland cement stucco at least 1 in. thick or other approved protective coatings

need not be required to meet the absorption tests required under 5.3.

6.0 CONCRETE BRICK.

6.1 Concrete Brick For Use in Masonry Walls.

6.1.1 Concrete brick shall consist of a mixture of Portland Cement sand, gravel, crushed stone or other approved aggregates.

6.1.2 Concrete brick shall be manufactured and cured as provided in Rule 4.0.

6.1.3 The fire resisting rating of concrete brick shall be the same as for ordinary clay brick of similar thickness.

6.1.4 The size of concrete brick shall be as follows:

Depth	2 1/4"	—	1/16"	Tolerance
Width	3 3/4"	—	1/8"	"
Length	8"	—	1/4"	"

6.1.4.1 Concrete bricks of sizes different from the above may be used when approved by the Board.

6.2 Physical Requirements for Concrete Brick.

6.2.1 **Strength of Concrete Brick**—Concrete bricks shall have an average compressive strength, when tested flatwise, of 2500 p.s.i. for an average of 5 specimens, with no individual minimum less than 10%. The modulus of rupture, flatwise, for an average of 5 specimens tested shall be not less than 450 p.s.i. with no individual minimum less than 10%.

6.2.2 **Absorption of Concrete Brick**—Absorption requirements shall be the same as those provided for concrete (block) products in Rule 5.3.

7.0 FILLER BLOCK FOR RIBBED FLOOR CONSTRUCTION.

7.1 Ribbed floor construction shall include floor systems with slabs and ribs placed monolithically between permanent or removable fillers, in which the ribs are spaced thirty inches or less from face to face. The ribs shall be straight, at least four inches in width, and of a maximum clear depth of not to exceed three times the average width. See C26-476.0a (8.5.8).

7.2 When concrete or scored burnt clay tile are used, the thickness of the slab shall be at least one-twelfth of the clear distance between the ribs with a minimum of one and one-half inches. Where such tile are of strength at least equal to that of concrete and the joints are staggered, the shells in contact with the concrete may be included in the resisting sections. In a two-way construction, provided the tile filler is completely surrounded by concrete ribs as specified, the exterior shells of the tile in contact with the concrete may be used for strength calculations for shear and bending and where the top slab is not required for strength such top slab may be omitted provided the construction is protected by at least two inches of incombustible material. See C26-476.0 (8.5.8) b.

7.3 Concrete filler block or tile for use in ribbed floor construction shall consist of a mixture of Portland cement or high early strength Portland cement, sand, gravel, crushed stone or other approved aggregates, manufactured, cured and stored as provided in Rule 4.0.

7.4 For use in ribbed floor construction, such filler tile or block shall have properties as follows:

7.4.1 The average compressive strength over the net area of five such filler units, when manufactured, cured and stored as required in Rule 4.0, shall be at least equal to that of the concrete in the ribs of a specific job on which it is to be used.

7.4.2 The modulus of elasticity of the mix used shall be determined from a test of an average of five tamped and rodded cylinders, 6 inches in

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diameter and 12 inches high, when manufactured, cured and stored under the same conditions as the masonry units and as required in Rule 4.0. From the value of modulus of elasticity as obtained in this test and that of the concrete in the rib, a composite modulus shall be derived, in accordance with the theory of flexure as defined in Hooke's Law. The percentage obtained from the ratio of the modulus of elasticity of the composite section to the modulus of elasticity of the concrete in the rib will provide a new "n" value indicative of the resistance of the composite construction of the particular filler block and type of concrete used in the rib.

7.4.3 The materials and method of mixing as used to determine the physical properties of filler block in Rules 7.4.1 and 7.4.3, once fixed, shall be maintained for that job order to assure the delivery of homogeneous units of a type as tested.

8.0 MARKING OF ALL CONCRETE (BLOCK) PRODUCTS.

8.1 Concrete block products used as fillers and in partitions, furring or fireproofing purposes and tested to a compressive strength of 300 p.s.i. over the gross area, shall have a clearly discernible mark distinguishing them from load-bearing units.

8.2 Units used for load bearing walls and tested to a compressive strength of over the gross area of 700 p.s.i. for hollow units and 1500 p.s.i. for solid units, shall be suitably identified as load-bearing hollow, "L.B.H.", or load-bearing solid, "L.B.S.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.3 Units used for filler blocks in ribbed floor construction shall be identified as filler block, "F.B.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.4 The manufacturer's distinguishing mark shall consist of an impression on the unit. Such distinguishing mark shall be filed with the Board and with the Borough Superintendent of Housing and Buildings where such units are to be used. All delivery slips shall be stamped, reading as follows:—Approved by the Board of Standards and Appeals for use in New York City under Cal. No.....

8.5 Contracts for all concrete (block) products shall include a proviso from the manufacturer or his representative stating the material, type, use, compressive strength, water absorption, and, in addition, in the case of filler block, the modulus of elasticity.

9.0 USES OF CONCRETE (BLOCK) PRODUCTS.

9.1. Hollow Units.

9.1.1 Load Bearing Hollow Units.

9.1.1.1 Hollow concrete block or tile, when delivered for use, shall have a minimum ultimate compressive strength of 700 p.s.i. of gross area tested as laid in the wall. C26-309.0 (7.1.1.4)a.

9.1.1.2 The allowable working stresses for concrete block or tile masonry, due to combined live and dead loads, shall be one-tenth of the ultimate compressive strength where cement mortar is used, and one-twelfth where cement lime mortar is used. Concrete block or tile building units for load bearing walls or piers shall be laid in cement or cement lime mortar. C26-358.0 (7.4.2.4).

9.1.2 Masonry foundation walls shall have a thickness at least equal to that of the wall next above, and at least equal to the thickness given in inches in the table below:

	Solid masonry	Hollow masonry	Hollow walls of brick (concrete)
Private dwellings at most twenty feet high and one-story structures at most twenty feet high....	8	12	12
Private dwelling over twenty feet high or other structures of more than one-story and over twenty feet high	12	16	16

Foundation walls of hollow blocks may be used above grade when the upper walls are of wood frame or of hollow building block construction. All other foundation walls shall be of solid masonry, except when the structure is without basement or cellar. C26-397.0 (8.3.1.6).

9.1.3 Thickness.

In structures over two stories high, except private residences, foundation walls shall be at least four inches thicker than the wall section next above, except that when the walls are of hollow units or are hollow walls of brick, the foundation walls may be of the same thickness as the walls next above, provided such foundation walls are built of solid masonry or concrete and that as maximum of two stories above the foundation are of the same thickness. C26-397.0 (8.3.1.6)c.

9.1.4 Walls of Hollow Block or Tile.

9.1.4.1 Walls of hollow block or tile or solid structural units shall have the spaces between the units filled with mortar. The requirements of sections C26-416.0 through C26-421.0 and of section C26-426.0 shall apply to such walls.

9.1.4.2 In all walls of hollow block or tile or solid structural units, built only one unit in thickness, each unit shall break joints with those next above. When more than one unit is required to produce a given wall thickness, the units shall break joints with the units next above and shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers.* In the case of non-bearing interior partitions one story or less in height, constructed of units to be left exposed on one or both sides for architectural effect, these bonding requirements may be waived.

* The bonding specified applies only to combination walls of hollow block, tile or solid structural units and does not apply to faced walls covered by C26-440.0 (8.4.7).

9.1.4.3 Where walls of hollow masonry are decreased in thickness, the units in the top course of the thicker wall shall be filled solidly with concrete or shall be covered with slabs of solid masonry at least one inch in thickness, or solid units shall be used for the top course.

9.1.4.4 Where anchors are used in walls of hollow masonry, such anchors shall be galvanized, or shall be of non-corroding metal of adequate size and substantial construction.

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9.1.4.5 Where hollow units are set with cells horizontal, such units shall be set in a full bed of mortar one-half of an inch or less in thickness, with vertical joints buttered full on shells and webs; where such units are set with cells vertical, the bearing members shall be buttered and vertical joints slushed full of mortar.

9.1.4.6 Wherever girders, beams, joists, or other structural members frame into masonry of hollow block or tile or solid building block, such members shall rest upon such solid incombustible material as will properly distribute the load.

9.1.4.7 The minimum thickness in inches of bearing walls of hollow masonry, except in private dwellings thirty-five feet or less in height, and mixed occupancies as provided in subdivision a of section C26-443.0, shall be:

40	10			
30	10	10		
20	12	10	10	
10	12	12	10	10
Height of wall in ft.	40	30	20	10

9.1.4.8 The maximum height for walls or portions of walls of hollow masonry in any class of structure shall be forty feet above the support of such walls or portions of walls.

9.1.4.9 Walls of hollow masonry may be constructed to the maximum permissible height in top of a solid masonry wall whose maximum height is thirty feet above the first tier of beams. The minimum thickness of such walls shall be based upon the requirements of section C26-427.0, and if such walls are bearing walls, such thicknesses, shall be based on the requirements of subdivision g of this section, and the solid masonry wall below shall be at least of the same thickness as that of the hollow masonry wall. See C26-431.0 a through i (8.4.3.2).

9.1.5 Veneered Walls.

9.1.5.1 Anchorage for veneered masonry walls shall comply with C26-437.0-1-2-3 (8.4.6.1 through 8.4.6.3).

9.1.5.2 Thickness and height of veneered walls shall not be included in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations. See C26-438.0 (8.4.6.2).

9.1.6 Faced Walls.

9.1.6.1 Faced walls shall be of at least the thickness required for masonry walls of the material forming the backing. Facings of brick or solid structural units shall be bonded into the backing with headers, or stretchers at least four inches thicker than the facing, the equivalent of one-sixth of the area of wall. Dressed stone facings shall be bonded to the backing with the equivalent of approximately one-fifth of the superficial area in bond stone at least four inches thicker than the facing, in addition to which, every stone other than bond stone shall be anchored to the backing with at least one non-corroding metal anchor, at least three-sixteenths of an inch by one inch, or the equivalent, in cross-sectional area. In the case of plain coursed ashlar the bond stone shall occur at least as every alternate stone in every third course.

In the case of random ashlar, range work or other jointing schemes where the more frequently spaced smaller units are used for bond stone, the metal anchors may be omitted, provided the superficial area of the bond stone is at least equal to that required for brick facing, one-sixth the area of the wall.

When faced walls are built of different materials, the minimum thickness shall be that required for masonry walls built entirely of the material having the lower compressive strength.

The height of a single course in faced walls shall, in all cases, except for pilaster and spandrel facing stone, be at most ten times the thickness of the facing material.

When facing is used, such facing shall not be figured in the strength of the wall unless such facing is at least four inches in thickness or at least the normal thickness of an average brick.

See C26-440.0 a through e (8.4.7).

9.1.6.2 The total thickness of the wall, except as noted above, shall be used in computing the load carrying capacity of the wall, and the average allowable stress shall be based on the ultimate compressive strength of the weaker material.

9.1.7 Party and Fire Walls.

9.1.7.1 Party walls may be of any type of masonry provided for herein and shall comply with all requirements for bearing walls. Party walls which function also as fire walls shall, in addition, conform to the requirements of section C26-631.0 and of section C26-632.0.

It shall be unlawful to load any party wall on either side to more than fifty percent of its allowable loading. See C26-441.0 (8.4.8.1).

9.1.7.2 Fire walls of masonry shall meet the material, thickness and construction requirements of section C26-631.0 and of section C26-632.0. See C26-442.0 (8.4.8.2) and Rule 3.6.1.

9.1.8 Special Forms of Walls.

9.1.8.1 Bearing Walls for Private Dwellings—Bearing walls for private dwellings shall have a minimum thickness for dwellings thirty-five feet or less in height as follows:

				Hollow Masonry and Hollow Walls of Solid Structural Units		
				Solid Masonry		
3	8	..	..	8	..	..
2	8	8	8	8	8	..
1	8	8	8	10	8	8
Stories	3	2	1	3	2	1
See C26-443.0 (8.4.9.1).						

9.1.8.1.1 In such cases, faced walls of 4 inches of brick and 4 inches of hollow block may be used with header courses every 7th course. This shall apply to residence buildings only, which are not in excess of two stories or 20 feet in height.

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9.1.8.1.2 In three-story structures having a maximum width of twenty-five feet, where the first story is used for commercial purposes and the upper stories for residence purposes, the minimum thickness of bearing walls shall be eight inches. See C26-443.0 (8.4.9.1.1).

9.1.8.1.2.1 One-story buildings used for garages, commercial buildings and factories may be constructed of hollow masonry 8 inches thick, when complying with the Building Code and these Rules in all other respects.

9.1.9 Parapet Walls.

Parapet walls may be constructed of hollow masonry, in accordance with C26-440.0 (8.4.9.2).

9.1.10 Non-Bearing Masonry Walls.

The minimum thickness of non-bearing masonry walls, except as provided in sections C26-428.0 and C26-446.0, may be four inches less than the thickness required for bearing walls, except that any such wall shall be at least eight inches thick. See C26-445.0 (8.4.9.3).

9.1.11 Panel Apron and Spandrel Walls.

Panel, apron and spandrel walls of masonry in skeleton frame structures shall be at least eight inches thick if such walls are constructed of solid masonry, or at least twelve inches thick if such walls are constructed of hollow masonry or at least ten inches thick, if such walls are constructed of combinations of hollow and solid masonry, except that spandrel and apron walls may be eight inches thick or may be of materials, or of assemblies or materials, other than masonry, meeting the requirements of article eleven of the Building Code. Combinations of hollow and solid masonry shall be constructed with at least four inches of solid masonry on the exterior face. The maximum height between supports of such walls when constructed of these minimum thicknesses shall be thirteen feet. When such walls exceed thirteen feet in height, they shall be increased two inches in thickness for each six and one-half feet or fraction thereof that the height is increased.

Panel walls shall be bonded or otherwise so secured to the structure as to furnish adequate lateral support to the wall. See C26-446.0 (8.4.9.4).

9.1.12 Enclosure Walls.

Enclosure walls shall meet all the requirements of height, thickness and type of construction prescribed for bearing walls. See C26-447.0 (8.4.9.5).

9.1.13 Masonry Curtain Walls.

Curtain walls of solid masonry shall be at least eight inches thick for the uppermost thirteen feet and at least twelve inches thick for the next fifty-two feet or fraction thereof below and shall be increased four inches in thickness for each succeeding sixty feet or fraction thereof below.

When masonry curtain walls are built of masonry other than solid masonry, such walls shall be at least ten inches thick for the first thirteen feet, twelve inches thick for the next lower thirty-nine feet and shall be increased in thickness four inches for each thirty-nine feet or fraction thereof next below, provided that the maximum horizontal distance between lateral

supports shall be twenty feet. When the distance between the lateral supports exceeds twenty feet, the thicknesses of all walls specified in this section shall be increased four inches for each additional ten feet or fraction thereof between lateral supports. Curtain walls of hollow masonry twelve inches or more in thickness shall be made of at least two bonded units. See C26-448.0 (8.4.9.6).

9.2 Uses of Concrete Block Products including Concrete Brick.

9.2.1 Solid building block when delivered for use shall have a minimum ultimate compressive strength of 1500 p.s.i. tested as laid in the wall. C26-309.0 b (7.1.1.4).

9.2.2 The allowable working stresses for solid units of concrete (block) products shall be in accordance with the requirements in Rule 9.1.1.2 and C26-358.0 (7.4.2.4) and for concrete brick the allowable working stresses shall be as provided for in C26-356.0 a, (7.4.2.2).

9.2.3 Solid units may be used wherever hollow units are permitted under Rule 9.1 when used under the same conditions. In addition to such uses, solid units shall be used as follows:

9.2.3.1 Solid Units in Masonry Foundation Wall.

Solid concrete (block) products for use in masonry foundation walls shall be in accordance with the requirements of Rule 9.2.1-2.

9.2.3.2 Masonry piers shall be built of solid masonry and, except as provided in section C26-314.0, shall be laid in cement mortar or cement-lime mortar, and the maximum unsupported height shall be ten times the least dimension. Sections of panel walls in skeleton construction shall not be considered as piers.

It shall be unlawful to have openings or chases within the required area of any pier. Masonry piers shall be bonded in accordance with the requirements of C26-424.0 except that when concrete (block) products are used, they shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers. See C26-431 b2. See also C26-415.0a.

9.2.3.3 Solid Masonry Walls.

9.2.3.3.1 Bonding of Wall Intersections.

When two bearing walls meet or intersect and the courses are carried up together, the intersection shall be bonded by laying in a true bond at least fifty percent of the units at the intersection.

When the courses of meeting or intersecting bearing walls are carried up separately, the perpendicular joint shall be regularly toothed or blocked with eight-inch maximum offsets, and the joints shall be provided with metal anchors having a minimum section of one-quarter of an inch by one and one-half inches, with ends bent up at least two inches, or with cross pins to form anchorage. Such anchors shall be at least two feet long and the maximum spacing shall be four feet.

Meeting or intersecting non-bearing walls shall be bonded or anchored to each other in an approved manner. See C26-426.0 (8.4.2.4).

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9.2.3.3.2 Thickness of Solid Bearing Walls.

The thickness in inches of solid masonry bearing walls for the respective story heights, with the exception of private dwellings thirty-five feet or less in height and mixed occupancies provided for in section C26-443.0, shall be at least:

8	.....	12							
7	.....	12	12						
6	.....	12	12	12					
5	.....	12	12	12	12				
4	.....	16	12	12	12	12			
3	.....	16	16	12	12	12	8		
2	.....	16	16	16	12	12	12	8	
1	.....	20	16	16	16	12	12	12	8
Stories..	8	7	6	5	4	3	2	1	

For the purpose of calculating wall thicknesses, thirteen feet shall be assumed to be the maximum height of a story.

Regardless of the requirements of this section, it shall be unnecessary for the thickness of solid masonry bearing walls for structures of at most seventy-five feet in height to exceed twelve inches for the uppermost fifty-five feet* of height and sixteen inches for wall below the required twelve-inch wall. Where, under the foregoing provision, a change in required thickness of wall occurs between two floors, thickness required at that tier of beams nearest the elevation of the required change shall govern.

* Note:—The Board under Calendar 308-38-A interpreted the Building Code requirement as follows:

"WHEREAS, it has been brought to the board's attention that there is a conflict of opinion as to the intent of section C26-427.0 of the administrative code (8.4.2.5).

Resolved, that section C26-427.0 of the administrative code (8.4.2.5) shall be taken to mean as follows, as to figuring the uppermost 55 feet of bearing wall and the point where a change of thickness is required: height of wall and height of story are defined in C26-82.0 (1.74). Subject to this definition as to parapet, the top of the wall shall be taken as the top surface of the highest point of the beams directly supporting the roof boarding. When the base of the 55 foot wall occurs between floors, this shall be taken to mean within the story as defined in C26-145.0 (1.138). If the base of such wall occurs at a point below the middle point in the height of a story, the change of wall thickness may be made at the next lower tier of beams. If the base of such wall occurs above the middle point in the height of a story, the thicker wall shall be carried up to the next higher tier of beams. For calculation of wall thickness, the code provides that 13 feet shall be assumed as the maximum height of a story."

When the clear span between bearing walls or between a bearing wall and an intermediate support is more than twenty-six feet, the thickness of such walls shall be increased four inches in thickness for each twelve and one-half feet or fraction thereof that such span is in excess of twenty-six feet, except where such bearing walls are adequately reinforced by buttresses. See C26-427.0 (8.4.2.5).

9.2.3.3.3 Thickness of Interior Walls in Residence Structures.

The thickness in inches of interior bearing walls with bearing on both sides

in residence structures for the respective story height shall be at least:

6	.....	8							
5	.....	8	8						
4	.....	8	8	8					
3	.....	8	8	8	8				
2	.....	12	8	8	8	8			
1	.....	12	12	8	8	8	8		
Stories ...	6	5	4	3	2	1			

Where interior walls in residence structures have bearing on one side only or are non-bearing, the required thickness in inches shall be eight inches for the uppermost fifty-five feet of wall height and twelve inches below the fifty-five feet foot distance from top of such walls.

Where wood floor and roof beams bear on both sides, such beams shall be staggered on the bearing wall and there shall be at least four inches of masonry between any two such wood beams.

The maximum length of such bearing and non-bearing walls between cross-walls, cross-bracing, piers or buttresses shall be thirty feet. See C26-428.0 (8.4.2.6).

9.2.3.3.4 Solid Masonry Walls Above Roof Levels.

Solid masonry walls above roof levels, twelve feet or less in height, enclosing stairways, elevator shafts, penthouses, or bulkheads shall be at least eight inches thick and may be considered as neither increasing the height nor requiring any increase in the thickness of the wall below, provided the allowable working stress requirements are met. See C26-429.0 (8.4.2.7).

9.2.4 Special Forms of Masonry.

9.2.4.1 Increasing height of walls.—If it is desired to increase the height of any wall, erected before January first, nineteen hundred thirty-eight, which is thinner than required by the Code, such wall shall be reinforced by a lining of solid masonry so that the combined thickness shall be at least four inches more than is required for a new wall corresponding with the total height of the wall when increased in height; provided that it shall be unlawful to use such lining to a greater height than forty feet or to increase the height of such wall to exceed seventy-five feet. Such lining shall be supported on proper foundations and shall be at least eight inches in thickness and so anchored to the old wall as to make the reconstructed wall act as a unit. Where any lining is to be built against an old wall, such wall shall be first cleaned of plaster or other coatings. Walls to be lined shall be in good condition and the approval of the superintendent shall be necessary before the work begins. See C26-454.0 (8.4.9.12).

9.2.4.2 Height of Unsupported Walls.—The maximum unsupported height of any masonry wall during the period of construction shall be two stories or twenty-six feet, unless satisfactory support is provided and specific approval of the superintendent obtained, except when walls are carried separately by structural members on each story. See C26-445.0 (8.4.9.13).

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9.2.4.3 Stairway, Elevator and Similar Enclosures.

Enclosing walls of interior shafts, if non-bearing, shall meet the requirements for non-bearing walls, and if such walls are bearing, they shall meet the requirements for bearing walls, except as provided in section C26-428.0, and where such enclosing walls are supported at each story on structural members.

Where the enclosures are supported by structural members at each story, such enclosures shall meet the requirements of sections C26-638.0 through C26-647.0 and of sections C26-660.0 through C26-665.0. See section C26-456.0 (8.4.9.14).

9.3 Filler Block for Ribbed Floor Construction.

9.3.1 Filler blocks of concrete (block) products used merely as fillers in ribbed floor construction, shall consist of any approved concrete (filler block) product with no structural properties of resisting shear and bonding attributed to it in the computations.

9.3.2 Filler blocks of concrete (block) products used in resisting shear and moment, as provided in C26-476.0 (8.5.8) and having properties as provided in Rule 7.0, may be used in one and two-way ribbed floor construction. When so used, the analysis and application of the equivalent resisting section shall be as follows:

9.3.2.1 Equivalent resisting reinforced composite section to resist positive moment shall be the beam formed by the concrete rib and

the slab plus the shell and top of flange of the concrete (block) product.

9.3.2.2 Equivalent resisting reinforced composite section to resist negative moment shall be the beam formed by the concrete rib and the vertical shell of the block plus the horizontal flange of the filler block. The total width of the T flange thus formed shall not exceed twice the combined thickness of the concrete rib plus the shells in contact with the rib.

9.3.2.3 The equivalent resisting reinforced composite section to resist shear, with or without the top slab, shall be the rectangular beam formed by the concrete rib and vertical shell of the filler block.

9.3.2.4 The equivalent resisting reinforced composite section to resist either positive or negative moment, where the top slab is omitted, shall be the rectangular beam formed by the concrete rib and the vertical shell block plus the horizontal flanges of the filler block. The total width of the T flange thus formed shall not exceed twice the combined thickness of the concrete rib plus the shells in contact with it.

9.3.2.5 Based on the equivalent resisting sections defined above, when joints are staggered, the allowable unit stresses for negative moment and shear shall be reduced 25%.

9.3.2.6 The contribution of filler blocks to a ribbed floor construction shall be in accordance with C26-468.0 (8.5.1) through C26-493.0.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

PUBLIC HEARING

PROPOSED RULES FOR THE TESTING AND USE OF BLENDED CEMENTS.

(584-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 19, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for the Testing and Use of Blended Cements.

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph e, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1. The purpose of these rules is to provide a basis wherein approved cements other than Portland Cements and consisting mainly of blended materials may be used wherever under the Administrative Building Code the use of Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, or processed admixtures which may be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plaster-cizing, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to the steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tongs and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test, A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test described in A.S.T.M. Specification C77-36, and the mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours, as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements.

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall be not less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq. in.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq. in.

*When tested in accordance with Fed. Spec. SS-C-158.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be equal to or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength, Lbs. Sq. In.
3 days	1 day in moist air, 2 days in water	175
7 days	1 day in moist air, 6 days in water	275
28 days	1 day in moist air, 27 days in water	350

The average tensile strength of the mortar at 7 and 28 days shall be higher than that at 3 and 7 days, respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration, application shall be made to the board for additional tests to develop these properties.

RULES

AMENDMENTS TO RULES FOR FUSION WELDING AND GAS CUTTING

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 17, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, JUNE 10, 1940.

(Cal. No. 1-38-SR)

Rule 1. Application For Permits.

- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the Borough Superintendent. The Borough Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Borough Superintendent of Housing and Buildings of the borough having jurisdiction.

Rule 3. Design and Supervision.

- 3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Borough Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the constructor who has done the welding.

Rule 4. Board of Examiners for Welders.

- 4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Borough Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.
- 4.2.3 The Borough Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.
- 4.2.4 Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year.
- 4.2.5 Certificates for gas welding and certificates for electric welding, including provisions for welding performed by each welder for the current year, shall be on forms as approved by the Board of Standards and Appeals.

Rule 5. Qualification Test for Welders.

- 5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examin-

ers for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Borough Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City shall be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.4 QUALIFICATION REQUIREMENTS.

- 5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and two in the overhead welding position.
- 5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same general type of electrodes or welding rods as are to be used in the work for which the operator is being tested.

Rule 7. Specifications and Tests of Welding Materials.

- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the Borough Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the Borough Superintendent as to their ability to produce satisfactory gas cuts.

- 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Borough Superintendent.

- 9.1.1 The Borough Superintendent may, in the case of minor welding operations, including stairs

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and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

- 9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.
- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be

employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 The welder shall be protected by adequate covering against high winds, rain, snow or sleet.

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

- 11.1 Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or label, affixed by the standard Testing Agency, to the effect that these Rules have been complied with.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.

II. Sizes, Chemical Composition and Tests of Filler Metal.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELLOGOTT
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to June 11, 1940.

Cal. No. Department. Premises Affected.

- 600-40-S.....H.B.M....145-151 East 32nd street, north side, 95 ft. 6 in. east of Lexington avenue (Block No. 888, Lot Nos. 27-30, inclusive), Borough of Manhattan, Alt. 1455-40.
- 601-40-SA.....Murdock "Air-Lock" Outdoor Anti-Freezing Drinking Fountain, Appliance.
- 602-40-A.....H.B.B....1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn, Alt. 1950-40.
- 603-40-A.....F.D.....269 Avenue C, west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan, 20812-L.C. and Decision.
- 604-40-BZ....H.B.B....74-92 Bay Ridge avenue, south side, 200 ft. east of Narrows avenue (Block No. 5869, Lot No. 19), Borough of Brooklyn, Drop Curb Applic. 786-40.
- 605-40-BZ....H.B.B....20-40 Grand Street Extension and 255-265 South Fourth street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn, N.B. 1116-40.
- 606-40-A.....F.D.....242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn, 4761-L.F.
- 607-40-A.....H.B.Q.....89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block No. 9676, Lot No. 13), Jamaica, Borough of Queens, Misc. Applic. 3239-40.
- 608-40-BZ....H.B.Q.....47-51 41st street and 41-27 Greenpoint avenue, northwest corner (Block No. 196, Lot Nos. 7 and 42), Woodside, Borough of Queens, B.N. 239-39.
- 609-40-BZ....H.B.B....217-223 Schermerhorn street, north side, 310 ft. 4 in. west of Bond street (Block No. 165, Lot Nos. 56-58, inclusive), Borough of Brooklyn, B.N. 5673-39.
- 610-40-A.....H.B.M....336-342 East 52nd street, south side, 150 ft. west of First avenue (Block No. 1344, Lot Nos. 33, 34, 34½ and 35), Borough of Manhattan, N.B. 125-40.
- 611-40-SM.....Bridgeport Brass Company Vacuum Breaker, manufactured by Bridgeport Brass Company, Material.
- 612-40-A.....F.D.....5315 13th avenue, east side, 60 ft. 2½ in. north of 54th street (Block No. 5670, Lot No. 4), Borough of Brooklyn, 4819-L.F.
- 613-40-A.....H.B.Q.....80-08 to 80-12 190th street, west side, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica, Borough of Queens, N.B. 3080-40 and N.B. 3182-40.
- 614-40-A.....F.D.....75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan, Decision—re 20873-L.C.
- 615-40-A.....H.B.B....2035 Flatbush avenue, northeast corner of Baugham place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn, N.B. 1253-40.
- 616-40-A.....H.B.M....55 Fifth avenue, northeast corner of East 12th street (Block No. 570, Lot No. 1), Borough of Manhattan, Decision—re Viol. 6019-39 and E.S. Applic. 118-40.
- 617-40-BZ....H.B.B....1623-1629 East 17th street, east side, 105 ft. ¾ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn, N.B. 1060-40.
- 618-40-A.....F.D.....1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue

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(Block No. 2996, Lot No. 22),
Borough of Brooklyn,
83374-C and Decision.

619-40-SM....."Flatex" (Flameproofing Solu-
tion), manufactured by Tex-
tile Flameproofing Company,
Material.

620-40-SM.....Fiberglas Thermal and Sound
Insulation, manufactured by
Owens-Corning Fiberglas Cor-
poration, Material.

621-40-A.....H.B.M....17 East 65th street, north side, 89
ft. west of Madison avenue
(Block No. 1380, Lot No. 13),
Borough of Manhattan,
N.B. 100-40.

622-40-SM.....Atlas Thermo Damper, manufac-
tured by George S. Siggins,
Material.

623-40-A.....H.B.B.....2226-2228 Neptune avenue, 2813
West 23rd street, southeast
corner, and east side of West
23rd street, 95 ft. south of
Neptune avenue (Block No.
7016, Lot Nos. 1 and 83),
Borough of Brooklyn,
Alt. 2201-40.

624-40-A.....H.B.Q.....90-36 198th street, west side, 300
ft. south of 90th avenue
(Block No. 10466, Lot No.
56), Hollis, Borough of
Queens,
Misc. Applic. 4216-40.

625-40-A.....H.B.Q.....46-30 and 46-36 195th street, west
side, 280 ft. and 320 ft. south
of 46th avenue (Block No.
5550, Lot No. 23), Bayside,
Borough of Queens,
N.B. 3702-40 and
N.B. 3703-40.

626-40-A.....H.B.Q.....46-27, 46-31 and 46-35 195th
street, east side, 240 ft., 280 ft.
and 320 ft. south of 46th ave-
nue (Block No. 5551, Lot No.
1), Bayside, Borough of
Queens,
N.B. 3704-40 to N.B.
3706-40, inclusive.

627-40-A.....H.B.Q.....46-28, 46-32 and 46-36 196th
street, west side, 240 ft., 280
ft. and 320 ft. south of 46th
avenue (Block No. 5551, part

of Lot No. 1), Bayside, Bor-
ough of Queens,
N.B. 8373-39 to N.B. 8375-39,
inclusive, and N.B. 8381-39
to N.B. 8383-39, inclusive.

628-40-A.....H.B.Q.....46-29 and 46-33 196th street, east
side, 263 ft. and 307 ft. south
of 46th avenue (Block No.
5552, part of Lot No. 1), Bay-
side, Borough of Queens,
N.B. 30-40, N.B. 31-40, N.B.
8365-39 and N.B. 8366-39.

629-40-A.....H.B.Q.....46-28, 46-32 and 46-36 196th
place, west side, 252.72 ft.,
292.72 ft. and 332.72 ft. south
of 46th avenue (Block No.
5552, Lot No. 1), Bayside,
Borough of Queens,
N.B. 3707-40 to N.B. 3709-40,
inclusive.

630-40-A.....H.B.Q.....46-27, 46-31 and 46-35 196th
place, east side, 250.77 ft.,
292.77 ft. and 334.77 ft. south
of 46th avenue (Block No.
5553, Lot No. 1), Bayside,
Borough of Queens,
N.B. 3710-40 to N.B. 3712-40,
inclusive.

Restored to Calendar.

858-19-BZ....H.B.B.....1520-1528A Fulton street, south
side, 320 ft. west of Albany
avenue (Block No. 1864, Lot
No. 14), Borough of Brook-
lyn,
Alt. 2262-40.

1184-39-A.....H.B.B.....North side of 101st street, 140
ft. west of Fort Hamilton
parkway, 1-15 Jackson court
and 2-12 Jackson court (Block
No. 6138, part of Lot Nos. 31
and 34), Borough of Brook-
lyn (under Section 36, General
City Law—re building front-
ing on a proposed private
street), N.B. 2850-39.

179-37-BZ....H.B.R.....461 Bay street, east side, 434.23
ft. north of Wave street
(Block No. 488, Lot No. 18),
Stapleton, Borough of Rich-
mond,
Decision—re N.B. 117-37.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

CALENDAR

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On June 7, 1940, Wolf and Kohn, attorneys, served on Board petition and order of certiorari on behalf of New York City Society of the Methodist Episcopal Church, in re decision of the Board on April 9, 1940, denying erection of a gasoline service station, under section 21, Cal. No. 1516-39-BZ, at premises northwest corner of Grand Concourse and East 150th street, Borough of The Bronx.

* * * * *

On June 11, 1940, Reginald S. Hardy, attorney, served on Board petition and order of certiorari on behalf of Germaine M. Thomas and others, objectors, in re decision of Board on April 30, 1940, granting a temporary gasoline service station in business district, under section 21, Cal. No. 282-35-BZ, at premises 1159-1167 Utica avenue and 5002-5010 Clarendon road, southeast corner, Borough of Brooklyn.

COURT DECISIONS.

In re Aberdeen Garage, Incorporated (Murdock)—On October 4, 1938, Board denied extension of existing garage (previously granted by Board) to include—on adjoining premises subsequently purchased—new ramp, gasoline station, lubricatorium, minor repairs and brake service, under section 21, at premises 2181-2191 Jerome avenue, Borough of The Bronx. Mr. Justice McGeehan reversed Board (N.Y.L.J. May 31, 1939). Appellate Division unanimously reversed Special Term and confirmed determination of Board (N.Y.L.J. October 28, 1939). Order of Appellate Division confirmed. No opinion by Court of Appeals (N.Y.L.J. June 5, 1940).

* * * * *

Seinfeld vs. Murdock—On November 29, 1938, Board confirmed previous denial, under section 21, of stores on first story of multiple dwelling (referred back by the Court for new hearing), under Cal. No. 345-36-BZ, premises 2095 Grand Concourse, Borough of The Bronx, in residence use district. Mr. Justice Leary reversed the Board (N.Y.L.J. July 10, 1939). Appellate Division reversed Special Term and sustained Board (N.Y.L.J. June 8, 1940).

RULES

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Carbon Dioxide Liquefier Rules	Jan. 16, 140—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
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Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9
Fire Alarm Rules (Interior)	Sept. 12, 1939—Vol. 24, No. 37
Fire Drill Rules	May 21, 1940—Vol. 25, No. 21
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	May 14, 1940—Vol. 25, No. 20
Fire Retarding Rules for Garages, etc.	June 11, 1940—Vol. 25, No. 24
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Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 12, 1940—Vol. 25, No. 11
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Plumbing Rules (Prevention of Contamination of Water Supply)	May 28, 1940—Vol. 25, No. 22
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Smoking in Factories, Rules for	Apr. 30, 1940—Vol. 25, No. 18
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Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

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Fireline Hose Valves	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	Mar. 26, 1940—Vol. 25, No. 13
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	May 28, 1940—Vol. 25, No. 22

JUNE 11, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 11, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1008-39-BZ—Application, July 28, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Rosebeck Holding Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

CAL. NO. 1437-39-BZ—Application, November 22, 1939, under sections 7c and 21 of the building zone resolution, of Charles Lee Koester, applicant, on behalf of Galonite, Inc., owner (Harry Cook, lessee), to permit in a business use district, the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 179-40-BZ—Application, February 15, 1940, under sections 7a, 7b and 7c of the building zone resolution, of Slee and Bryson, applicants, on behalf of William R. Crowley, owner, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business use throughout; premises 92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn.

CAL. NO. 438-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Fannie Wolf, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

CALENDAR

CAL. NO. 300-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Herman M. Cohn, applicant, on behalf of S. & B. Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station and, also, the parking of more than five (5) motor vehicles; premises 1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of Warden H. Fenton, applicant, Director, Bureau of Architecture, Department of Public Works, on behalf of City of New York, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a building (Fire House) not complying with "E" area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

CAL. NO. 252-40-BZ—Application, March 6, 1940, under section 21 of the building zone resolution, of William O. Staber, applicant, on behalf of Home Owners' Loan Corporation, owner, to permit in a residence use district and, also, "E" area district, the maintenance of a garage, accessory to the dwelling on the same lot, said garage not conforming with "E" area requirements as to the ten (10) foot setback from the street line; premises 25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens.

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

JUNE 11, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

240-40-A—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

174-40-A—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Block No. 611, part of Lot No. 1), Borough of Brooklyn.

495-40-A-WF—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

545-40-A—633 West 125th street, north side, 418 ft. 6 in. east of Twelfth avenue, and 628-630 West 130th street (Block No. 1996, Lot No. 16), Borough of Manhattan.

575-40-A—383, 393 and 399 Seventh avenue, east side, entire block from West 31st street to West 32nd street, 157 West 31st street and 166 West 32nd street (Block No. 807, Lot No. 1), Borough of Manhattan.

462-40-A—1537-1553 Bedford avenue, 402-408 Eastern parkway, southeast corner, and 1131-1139 Union street (Block No. 1267, Lot No. 1), Borough of Brooklyn.

509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

584-40-A—137-139 Riverside drive, southeast corner of West 86th street (Block No. 1247, Lot No. 57), Borough of Manhattan.

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610-40-A—336-342 East 52nd street, south side, 150 ft. west of First avenue (Block No. 1344, Lot Nos. 33, 34, 34½ and 35), Borough of Manhattan.

547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

550-40-A—786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

585-40-A—23-29 Delevan street, south side, 200 ft. west of Dwight street (Block No. 523, Lot No. 14), Borough of Brooklyn.

615-40-A—2035 Flatbush avenue, northeast corner of Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn.

587-40-A—North side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

570-40-A-WF—109-23 World's Fair (Horace Harding) boulevard, northwest corner of Waldron street (Block No. 1969, Lot Nos. 7-9 and 11), Corona, Borough of Queens.

523-40-A—80-03 190th street, southeast corner of Union Turnpike (Block No. 7268, Lot No. 1), Jamaica Estates East, Borough of Queens.

524-40-A—80-04 190th street, southwest corner of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens.

613-40-A—80-08 and 80-12 190th street, west side, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 347-40-BZ—Application, April 5, 1940, under sections 7g and 21 of the building zone resolution, of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of C. J. Johnson, applicant, on behalf of Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

JUNE 18, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 18,*

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CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.

CAL. NO. 488-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of The Centrun Corporation, owner, to permit in a business use district and two and one-half times height district the extension in height of an existing office building, the said extension in height not conforming with the height restrictions of the building zone resolution; premises 62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan.

CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution,

of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 18, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

445-40-A—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.

576-40-A—22-26 Howard street, north side, 25 ft. east of Crosby street, and 5-7 Crosby street (second and third stories); (Block No. 233, Lot No. 30), Borough of Manhattan.

595-40-A—1602 Surf avenue, southwest corner of West 16th street (Block No. 7073, Lot Nos. 1 and 14), Borough of Brooklyn.

603-40-A—269 Avenue "C", west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

559-40-A—5110-5116 Fifth avenue, west side, 63.58 ft. south of 51st street (Block No. 799, Lot Nos. 29½ and 41½), Borough of Brooklyn.

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598-40-A—53-67 Forrest street, 52-66 Montieth street and 36-54 Evergreen avenue (Block No. 3142, Lot No. 1), Borough of Brooklyn.

606-40-A—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

612-40-A—5315 13th avenue, east side, 60 ft. 2½ in. north of 54th street (Block No. 5670, Lot No. 4), Borough of Brooklyn.

616-40-A—55 Fifth avenue, northeast corner of East 12th street (Block No. 550, Lot No. 1), Borough of Manhattan.

588-40-A—163 Bradford street, east side, 100 ft. north of Liberty avenue (Block No. 3691, Lot No. 1), Borough of Brooklyn.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

624-40-A—90-36 198th street, west side, 300 ft. south of 90th avenue (Block No. 10466, Lot No. 56), Hollis, Borough of Queens.

625-40-A—46-30 and 46-36 195th street, west side, 280 ft. and 320 ft. south of 46th avenue (Block No. 5550, Lot No. 23), Bayside, Borough of Queens.

626-40-A—46-27, 46-31 and 46-35 196th street, east side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, Lot No. 1), Bayside, Borough of Queens.

627-40-A—46-28, 46-32 and 46-36 196th street, west side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, part of Lot No. 1), Bayside, Borough of Queens.

628-40-A—46-29 and 46-33 196th street, east side, 263 ft. and 307 ft. south of 46th avenue (Block No. 5552, part of Lot No. 1), Bayside, Borough of Queens.

629-40-A—46-28, 46-32 and 46-36 196th place, west side, 252.72 ft., 292.72 ft. and 332.72 ft. south of 46th avenue (Block No. 5552, Lot No. 1), Bayside, Borough of Queens.

630-40-A—46-27, 46-31 and 46-35 196th place, east side, 250.77 ft., 292.77 ft. and 334.72 ft. south of 46th avenue (Block No. 5553, Lot No. 1), Bayside, Borough of Queens.

Variations of the Labor Law.

463-40-S—312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn.

600-40-S—145-151 East 32nd street, north side, 95 ft. 6 in. east of Lexington avenue (Block No. 888, Lot Nos. 27 to 30, inclusive), Borough of Manhattan.

JUNE 25, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 25, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 410-31-BZ—Application of Rudolph B. Weiss, applicant, on behalf of Lakeville Road Service Station, Incorporated, owner, reopened May 28, 1940—re consideration as to extension of permit and extension of time to complete work—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the alteration and maintenance of a gasoline service station for a temporary period; premises 175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway and 83.78 ft. east of 175th street (Block No. 2661, Lot No. 26), Flushing, Borough of Queens.

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, applicant, on behalf of Garbo Garage Corporation, owner, reopened April 16, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

CAL. NO. 272-26-BZ—Application of Lama and Proskauer, applicants, on behalf of Maned Realty Company, Incorporated, owner (Harry Roisman, lessee), reopened April 30, 1940, for rehearing on a new proposal, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied—re erection of a gasoline service station); premises 555-563 Atlantic avenue, north side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn.

CAL. NO. 368-40-BZ—Application, April 8, 1940, under sections 7c and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Plaza-Circle Corporation, owner (Edward Nolan d/b/ as Plaza View Garage, lessee), to permit, partly in a residence use district and partly in a business use district, the alteration and conversion of occupancy of part of an existing building from garage for more than five (5) motor vehicles to store use, and from carriage house and stable for more than five (5) horses to garage for more than five (5) motor

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vehicles; premises 2-14 Plaza street and 405-413 Flatbush avenue, northeast corner (Block No. 1169, Lot No. 1), Borough of Brooklyn.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

CAL. NO. 349-40-BZ—Application, April 5, 1940, under sections 7h and 21 of the building zone resolution, of Jacob J. Schwebel, applicant, on behalf of New York, New Haven and Hartford Railroad Company, owner (Cousins Realty Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx.

CAL. NO. 327-40-BZ—Application, April 1, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Oxford Development Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10, and part of Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 336-40-BZ—Application, April 3, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 25, 1940, 2 P. M.

Appeals from Administrative Decisions.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 25, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 235-37-BZ—Application of 3331 Fish Avenue Corporation, applicant and owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

CAL. NO. 289-34-BZ—Application of Wrenn and Schmid, applicants, on behalf of Edith J. Potter, owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7a of the building zone resolution, permitting in a residence use district the extension in area of an existing garage and automobile repair shop for a temporary period; premises 308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 4, 1940, under new facts—reapportionment of lot, to permit in a business use district the extension of an existing gasoline service

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station (previously denied—re partly in a residence and partly in a business use district); premises 139-25 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

CAL. NO. 384-40-BZ—Application, April 12, 1940, under section 7h of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan.

CAL. NO. 763-38-BZ—Application of Herman Kron, applicant, on behalf of New York Telephone Company, owner (Jacob Goldstein, lessee), reopened October 17, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 728-732-744 Second avenue, east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

CAL. NO. 163-40-BZ—Application, February 9, 1940, under sections 7h and 21 of the building zone resolution, of Louis R. Patur, applicant, on behalf of Beck-Brown Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn.

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station

used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

JULY 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law, re building fronting on a proposed private street).

333-40-A—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (under Section 35, General City Law—re Bed of Mapped Street).

JULY 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

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CAL. NO. 25-34-BZ—Application of Nicholas Drogaris, applicant, on behalf of Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee), re-opened May 28, 1940, under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret of a building previously extended and granted by the Board, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and sale of soda, ice cream, cigars, cigarettes and tobacco; premises 1188-1196 Ocean parkway and 515-529 Avenue "L", northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

CAL. NO. 407-40-BZ—Application, April 15, 1940, under sections 7a, 7c and 21 of the building zone resolution, of King and Lynch, applicants, on behalf of The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

CAL. NO. 379-40-BZ—Application, April 12, 1940, under section 21 of the building zone resolution, of A. Robert Chananie, applicant, on behalf of Frieda Messinger, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 227-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in

a residence use district the erection and maintenance of three (3) buildings to be used as hog pens; buildings to be used in conjunction with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 228-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a barracks used in connection with a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 229-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a slaughter house used in connection with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Amended application, June 7, 1940

CALENDAR

(original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

JULY 12, 1940, 10 A. M.

Rules.

639-40-SR—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

JULY 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

673-40-A—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under Section 35, General City Law—re Bed of Mapped Street).

689-40-A—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

(AL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a business use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeal from Administrative Decision.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 9, 1940, 2 P. M.

Appeal from Administrative Decision.

658-40-A—71-58 Austin street, south side, 530.05 ft. east of

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JUNE 4, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, May 7, 1940, the minutes of the regular meeting of the Board held on Tuesday afternoon, May 7, 1940, and the minutes of the special meeting of the Board held on Friday morning, May 10, 1940, were approved as printed in Bulletin No. 20, Vol. 25.

BUILDING ZONE CASES.

183-40-BZ.

APPLICANT—Benjamin W. Levitan, for Cimiez Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin W. Levitan and Arthur Rosenbaum.

For Opposition: Joseph Meier, R. J. Orr and Thomas V. Tozzi.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for inspection by a committee of the Board and decision without further argument.

215-40-BZ.

APPLICANT—Edward C. Miller, for Marie J. Master-son, owner (James L. Percival, lessee).

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SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment.

PREMISES AFFECTED—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James L. Percival and Edward C. Miller.

For Opposition: None.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for consideration by the Board and also inspection by a committee of the Board.

289-40-BZ.

APPLICANT—William H. Fuhrer, for Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension in height of an existing bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: William H. Fuhrer.

For Opposition: William E. Howley, Joseph T. Varley, Anton Heiss, Katherine Ford, John McGrath, Fannie Block, Nellie Conlon, Anna O. Wilson, Nellie McHale, Anna Coen, Sarah Walsh, C. O. Wilson and Manny Walsh.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for inspection by a committee of the Board and decision without further argument.

299-40-BZ.

APPLICANT—C. J. Johnson, for Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee).

SUBJECT—Application re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles J. Johnson, David Rayvid, Annie La Bish, Ellen A. Brown, Charles Sinnott, Charles Paulsen, Adolph Kretschman, M. W. F. Veetig and Mrs. A. Veetig.

For Opposition: None.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for inspection by a committee of the Board and decision without further argument.

347-40-BZ.

APPLICANT—Thomas W. Lamb, Incorporated, for Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7g and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive and 47 to 53, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: W. J. Demarest, G. Wallace Bates, Melville Southard, Thomas W. Lamb, De Courcey Fales, Harry J. Williams, Robert Brooks and others.

For Opposition: Benjamin Gollay, P. J. Growney, James Milligin, Harry Cohen, E. J. Carey, J. H. Laughton, Alex Geiger, James Burns, M. I. Stockton, Charles Halstead, Herman Grand, Alfred T. Marmon and others.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for decision by the Board; no further argument.

82-40-BZ.

APPLICANT—Lama and Proskauer, for 501 Avenue R Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th street, west side, 161 ft. 9½ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and T. Harry Glick.

For Opposition: B. Chess, M. Matin, L. Meyer, I. J. Hayes, Jerome A. Wanshel, Charles Rubman, Max Meyer, Mrs. J. W. Davis, Mrs. S. Hayes and Maurice B. Leiberman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Assistant Chief McCarthy....	1
Negative: Chairman Murdock and Commissioner Blum	2
Not Voting: Commissioner Savage....	1

THE RESOLUTION—

(82-40-BZ)

WHEREAS, Lama and Proskauer, for 501 Avenue R Corporation, owner, filed January 22, 1940, an application under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 58 East 18th street, west side, 161 ft. 9½ in. north of Church avenue (Block No. 5078, Lot No. 30), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 4, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 17th street and East 18th street are in residence and business use districts; Church avenue is in a business use district; Caton avenue is in a residence use district; and

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WHEREAS, the decision of the borough superintendent of buildings, on Application No. 9345-39, dated May 14, 1940, reads:

"Proposed parking and storing of more than 5 cars within a residential and business use district is contrary to Article 2, Sect. 3 and Sect. 4-15 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 94 ft. 3 in. on East 18th street, 100 ft. along the north lot line and 94 ft. 3 in. along the west lot line; a small, irregular-shaped area of the plot at the southeast is located in a business use district and the remainder is in a residence use district; it is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board is familiar with the premises involved and the general area, having inspected it in connection with the theatre building proposed to be constructed on the same premises; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

272-40-BZ.

APPLICANT—Gould DeNeergaard, for Spuyten Duyvil Tower, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the multiple dwelling law, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

APPEARANCES—

For Applicant: Gould DeNeergaard.

ACTION OF BOARD—Area fixed.

THE VOTE TO FIX AREA—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(272-40-BZ)

WHEREAS, the Board was requested to fix an area deemed affected, and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

Resolved, that the following area be and it hereby is *fixed*:

"Both sides of Warren avenue, from Westchester avenue to a point 360 ft. northwesterly therefrom; both sides of Westchester avenue, from a point 400 ft. north to a point 400 ft. south from the plot in question; both sides of Johnson avenue, from a point 100 ft. east to a point 100 ft. west of

Westchester avenue, and both sides of Kappock street, from a point 400 ft. north to a point 400 ft. south of the premises in question."

275-40-BZ.

APPLICANT—Carl F. Grieshaber for the Department of Public Works, City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles (previously granted by the Board).

PREMISES AFFECTED—101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Carl F. Grieshaber and Valentine Fendrick.

For Opposition: Hugh S. Kelly and Alexander Graves.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(275-40-BZ)

WHEREAS, this application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a storage garage for more than three (3) motor vehicles; premises 101 Hart boulevard, east side, block bounded by Hart boulevard, Randall avenue, Delafield avenue and Elwood place (Block No. 131, part of Lot No. 122), West New Brighton, Borough of Richmond, was granted by the Board April 30, 1940, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution as to the garage; and

WHEREAS, this application was reopened by vote of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 4, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Randall avenue and Delafield avenue are in residence use districts; Elwood place and Hart boulevard are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on an amendment to N.B. Application No. 344-1939, dated May 29, 1940, reads:

"This amendment is hereby denied due to the fact that changes in construction and occupancy are not provided for in the Board of Standards and Appeals Resolution No. 275-40-BZ."

and

WHEREAS, the proposed building will be of fireproof construction, 73 ft. 6 in. by 32 ft. 4 in. in area, one story in height; it is proposed to occupy the proposed building as a storage garage for three (3) motor vehicles, two transformer rooms and two storage rooms as an accessory to the New York City Fire Department Fire Alarm and Telegraph Station; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building

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zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the resolution adopted by the Board on April 30, 1940, be and it hereby is *amended*, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that the building shall be substantially of the size and height as indicated on revised plan marked 'Received May 13, 1940,' and shall be set back not nearer than 50 ft. to Randall avenue; that the building shall harmonize in design and materials with the proposed fire signal station building and shall be so arranged as to provide for the storage of not more than three (3) automobiles of the pleasure-car type for the storage of such automobiles belonging to employees in the building; that the building may also include in the cellar the general heating plant for the fire signal station building and transformer vaults for use thereof and may provide for storage space to be used solely for equipment used in connection with the upkeep of the grounds; that in all other respects the requirements of the zone resolution and all laws, rules and regulations shall be complied with; that plans for landscaping of the entire plot shall be submitted to the Board for approval before same are executed; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution; that two (2) gasoline storage tanks of 550 gallons capacity each and one gasoline storage pump may be located inside the garage building for the servicing of such equipment used in connection with the fire alarm signal station, as requiring the use of gasoline."

312-40-BZ.

APPLICANT—Henry Nordheim, for Elizabeth Linden Kiley, owner (Dora Glicker, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot Nos. 68 to 71, inclusive, and 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Joseph Glicker.

For Opposition: Earl I. Gallant, Beulah Cooperman, Al Grossbaum, Leo Raro, Henry Henze, Albert Winter and Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(312-40-BZ)

WHEREAS, Henry Nordheim, for Elizabeth Linden Kiley, owner (Dora Glicker, lessee), filed March 25, 1940, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1560 Macombs road and 41-51 Goble place, northeast corner (Block No. 2865, Lot

Nos. 68 to 71, inclusive, and 30), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 4, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Macombs road is in a business and residence use district; Inwood avenue is in an unrestricted use district; Goble place and Mt. Eden avenue are in unrestricted and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated March 19, 1940, reads:

"Please be advised that your application for a Certificate of Occupancy for the parking and storage of more than five (5) motor vehicles at the above premises is denied as the premises are located partly in a business district and partly in an unrestricted district.

The parking and storage of more than five (5) motor vehicles in the unrestricted portion is permitted by Art. 2, Sec. 5 of the Building Zone Resolution; however, the parking and storage of more than five (5) motor vehicles in the business portion is prohibited by Art. 2, Sec. 4 of said Resolution."

and

WHEREAS, the premises consist of an irregularly-shaped plot of ground having a frontage of 27 ft. on Macombs road, 109 ft. on Goble place and a distance of 150 ft. along the east lot line; an irregularly-shaped area of the plot at the northeast is located in an unrestricted use district and the remainder is located in a business use district; it is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

344-40-BZ.

APPLICANT—Maurice Courland, for Jewish Center, Incorporated, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and, also, "B" area district, the erection of an extension to an existing building; the proposed extension does not comply with "B" area yard requirements.

PREMISES AFFECTED—131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Maurice Courland and William Feinberg.

For Opposition: Joseph E. Lenley.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(344-40-BZ)

WHEREAS, Maurice Courland, for Jewish Center, Incorporated, owner, filed April 4, 1940, an application under the

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building zone resolution, to permit in a residence use and, also, "B" area district the erection of an extension to an existing building; the proposed extension does not comply with "B" area yard requirements; premises 131-135 West 86th street, north side, 424 ft. east of Amsterdam avenue (Block No. 1217, Lot No. 18), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 4, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 86th and West 87th streets are in residence and business use and, also "B" area districts; Columbus avenue is in a business use and "B" area district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 456-40, reads:

"1. Comply with Section 17 Building Zone Resolution for yard area. Encroachment above the 30 ft. level above curb in a residence district contrary to above section."

and

WHEREAS, the existing building is of fireproof construction, ten stories and penthouse in height, with a frontage of 66 ft. and a depth of 90 ft. 4 in.; occupied as a combination synagogue, Hebrew school and center for social activities; it is proposed to alter and extend the rear portion of the third story into the required rear yard; the proposed encroachment within the required rear yard, from a point 30 ft. above the curb level to a point 44 ft. 8 in. above the curb level, is 264 sq. ft.; the encroachment will be used as a sanctuary in connection with the synagogue on the third story; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the area district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21, to permit the extension into the required rear yard as shown, *on condition* that the building shall not be further extended, and that in all other respects the building and use shall comply with the requirements of the building zone resolution and all other laws, rules and regulations applicable thereto, and that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISIONS. 241-40-A.

APPLICANT—Edward C. Miller, for Marie J. Master-son, owner (James L. Percival, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—164-04 109th avenue, south-east corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James L. Percival and Edward C. Miller.

ACTION OF BOARD—Laid over to June 18, 1940, at 10 A.M., for further consideration by the Board.

MATERIALS SUBMITTED FOR APPROVAL.

403-40-SM.

APPLICANT—Masonite Corporation, owner.

SUBJECT—Masonite DeLuxe Quartrboard, Masonite Quartrboard, Masonite Presdwood, Masonite

Tempered Presdwood, Masonite Presdwood Temprtile and Masonite Century of Progress Flooring, approval of.

APPEARANCES—

For Applicant: Robert T. Miller.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(403-40-SM)

WHEREAS, the Masonite Corporation, of Chicago, Illinois, owner, filed April 15, 1940, an application with the Board of Standards and Appeals for approval of the materials known as Masonite Quartrboard, Masonite DeLuxe Quartrboard, Masonite Presdwood, Masonite Tempered Presdwood, Masonite Century of Progress Flooring and Masonite Presdwood Temprtile; and

WHEREAS, these materials were submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 3, 1940.

Re: 403-40-SM.

Subject: Masonite Quartrboard, Masonite DeLuxe Quartrboard, Masonite Presdwood, Masonite Tempered Presdwood, Masonite Century of Progress Flooring and Masonite Presdwood Temprtile.

The Masonite Corporation, of Chicago, Illinois, on April 15, 1940, filed with the Board of Standards and Appeals an application for the approval of their Presdwood products named above for use as interior combustible trim (wainscoting, chair rails, base boards, decorative walls and ceilings), combustible partitions, and floor covering, under the pertinent sections of the Administrative Building Code.

Masonite Presdwood products are manufactured by the applicant at their plant located at Laurel, Mississippi, from wood fiber. These boards are manufactured by exploding wood chips in high pressure steam guns. The prepared wood chips are subjected to steam pressure of approximately 1,000 pounds per square inch. This pressure is suddenly released, exploding the chips into fiber. The fiber is then run through refiners and screened to proportion the quantity of coarse, medium and fine fiber; washed to remove the wood sugars and other water soluble ingredients. Unfibred wood is removed by separation process.

A Fourdrinier forming machine is used to produce the wet lap which is then cut to 4-foot widths and 12-foot lengths, compressed to thickness and density, and dried in heated flat bed hydraulic presses, after which it is cut to sizes and finished as required.

The Committee was impressed with the thoroughness of inspection and control practiced at the plant of the manufacturer. The control tests and inspections are made as follows:

Process Control Tests.

Chips:	Dimension
	Moisture content
Gun Fiber:	Fiber separation
Processed Fiber:	Fiber separation
(Taken at various points during processing)	Freeness (rate of drainage)
Wet Lap:	Consistency (per cent. fiber in total)
	Moisture
	Weight
Forming	Temperature
Water:	Dissolved solids
	pH (acid activity)

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Physical Tests of Finished Products and Surface Grading.

These control tests include tests of weight, thickness, density, strength, water absorption and swelling. The control tests and inspections are regularly conducted at pre-determined intervals so as to produce a material within the limitations of the tolerances set by the manufacturer.

Masonite Quartrboard—Masonite Quartrboard is manufactured in thicknesses of 1/4 inch, has a smooth, brown surface, weighs thirty-eight pounds per cubic foot. It is used for interior trim, wall and ceiling decoration, as a cushion and leveler under other floor surfacing and as a combustible partition surfacing.

Masonite DeLuxe Quartrboard—Masonite DeLuxe Quartrboard is the same as Masonite Quartrboard except that it has a density of fifty-five pounds per cubic foot. The uses are also the same.

Masonite Presdwood is the same as Masonite Quartrboard except that it is made in thicknesses of 1/10 inch, 1/8 inch, 3/16 inch, 1/4 inch and 5/16 inch, and has a density of sixty-five pounds per cubic foot. Masonite Presdwood has the same uses as Quartrboard.

Masonite Tempered Presdwood is similar to Masonite Presdwood except that it is darker in color due to an impregnation with a special tempering liquid which is hardened by baking and which increases the density to sixty-nine pounds per cubic foot, and the strength, resistance to abrasion, and water repellency are increased. The uses are the same as for Masonite Presdwood, but because of the water repellent properties, and when finished with synthetic resin base, enamel or similar waterproof finish of not less than two coats it is suitable for use in bathrooms as wall and ceiling surfacing material.

Masonite Century of Progress Flooring is similar to Tempered Presdwood, having the same density, but it comes in a thickness of 3/16 inches, and in sizes of 11 1/2 x 23 inches and 23 x 47 inches. It is used as a wearing surface (floor covering) over wood subflooring and concrete surfaces, and is not for use in bathrooms and kitchens or for floors below grade. It is applied to wood subflooring by nailing around the edges and through the body of the board with two-penny casing head nails, or secured by a waterproof spirit adhesive, similar to that used for linoleum. When used on concrete surfaces, the adhesive consists of a rubber dispersion cement (latex type).

Masonite Presdwood Temprtile has the same uses as Tempered Presdwood, and has a density of seventy-one pounds per cubic foot, finished in thicknesses of 1/8 inch and 3/16 inch with score markings in the surface of 4 x 4 inches, 2 x 8 inches and 12 x 12 inches squares.

Method of Application.

Except for the floor covering, the method of installation of all the foregoing materials to walls and ceilings are through the use of either casing head nails of suitable length or by an adhesive manufactured for this purpose, known as Masonite "Presd-Stik", consisting of polymerizing oils, gums and asbestos fiber, and having a bond strength of not less than two pounds per square inch at the end of twenty-four hours, which material has the property of remaining semi-plastic after considerable service. When used in walls or ceilings, nailing bases shall be provided at not more than 16 inch centers.

Physical Properties.

The foregoing materials are manufactured with average properties as follows:

<i>Quartrboard</i>	
Thickness—inches	.250
Transverse Strength—	
Sample 6"x24"—4" centers	550 lbs.
Tensile Strength p.s.i.	1100

24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	36
<i>DeLuxe Quartrboard</i>	
Thickness—inches	.215
Transverse Strength—	
Sample 6"x24"—4" centers	830 lbs.
Tensile Strength p.s.i.	2400
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	16.0
Modulus of Rupture p.s.i.	4600
<i>Masonite Presdwood 1/10"</i>	
Thickness—inches	.107
Transverse Strength—	
Sample 6"x24"—4" centers	300
Tensile Strength p.s.i.	3200
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	16.0
Modulus of Rupture p.s.i.	6500
<i>Masonite Presdwood 1/8"</i>	
Thickness—inches	.135
Transverse Strength—	
Sample 6"x24"—4" centers	450
Tensile Strength p.s.i.	3200
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	17.0
Modulus of Rupture p.s.i.	6300
<i>Masonite Presdwood 3/16"</i>	
Thickness—inches	.188
Transverse Strength—	
Sample 6"x24"—4" centers	850
Tensile Strength p.s.i.	3000
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	14.0
Modulus of Rupture p.s.i.	6100
<i>Masonite Presdwood 1/4"</i>	
Thickness—inches	.243
Transverse Strength—	
Sample 6"x24"—4" centers	1400
Tensile Strength p.s.i.	3000
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	11.0
Modulus of Rupture p.s.i.	6000
<i>Masonite Presdwood 5/16"</i>	
Thickness—inches	.325
Transverse Strength—	
Sample 6"x24"—4" centers	2200
Tensile Strength p.s.i.	2900
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	9.0
Modulus of Rupture p.s.i.	5700
<i>Masonite Tempered Presdwood 1/10"</i>	
Thickness—inches	.100
Transverse Strength—	
Sample 6"x24"—4" centers	400
Tensile Strength p.s.i.	5200
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	14.0
Modulus of Rupture p.s.i.	10500
<i>Masonite Tempered Presdwood 1/8"</i>	
Thickness—inches	.135
Transverse Strength—	
Sample 6"x24"—4" centers	750
Tensile Strength p.s.i.	5400
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	11.5
Modulus of Rupture p.s.i.	10800

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<i>Masonite Tempered Presdwood 3/16"</i>	
Thickness—inches	.188
Transverse Strength—	
Sample 6"x24"—4" centers	1450
Tensile Strength p.s.i.	4800
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	8.5
Modulus of Rupture p.s.i.	10000
<i>Masonite Tempered Presdwood 1/4"</i>	
Thickness—inches	.248
Transverse Strength—	
Sample 6"x24"—4" centers	2200
Tensile Strength p.s.i.	4500
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	7.0
Modulus of Rupture p.s.i.	9900
<i>Masonite Tempered Presdwood 5/16"</i>	
Thickness—inches	.325
Transverse Strength—	
Sample 6"x24"—4" centers	3300
Tensile Strength p.s.i.	4400
24 hr. water absorption—% by weight	
6"x8" sample, 1" submersion,	
water at 20° C.	6.0
Modulus of Rupture p.s.i.	8900

On the basis of the foregoing data, the Committee recommends the approval of Masonite Quartrboard $\frac{1}{4}$ inch, Masonite DeLuxe Quartrboard $\frac{1}{4}$ ", Masonite Presdwood $\frac{1}{10}$ inch, $\frac{1}{8}$ inch, $\frac{3}{16}$ inch, $\frac{1}{4}$ inch, $\frac{5}{16}$ inch, Masonite Tempered Presdwood $\frac{1}{10}$ inch, $\frac{1}{8}$ inch, $\frac{3}{16}$ inch, $\frac{1}{4}$ inch, $\frac{5}{16}$ inch, Masonite Century of Progress Flooring $\frac{3}{16}$ inch, and Masonite Presdwood Temprtle $\frac{1}{8}$ inch, $\frac{3}{16}$ inch, for uses as described under each material given above; for uses in partitions (not required to be fireproof); wall and ceiling decorations; including bathrooms; and other interior trim in non-fireproof structures under C 26-241.0 (3.2.3), for similar use in Class 4 wood frame structures under C 26-242.0 (3.2.4), and in Class 1 and Class 2 structures as interior trim, subdividing partitions, and special spaces, under C 26-667.0 par. 3, 5, and 8 (10.9.2.3), (10.9.2.5) and (10.9.2.8).

Approval is also recommended of Masonite Quartrboard as an underlay cushion material over concrete and wood subfloors; and of Masonite Century of Progress Flooring as a wearing surface (floor covering), under C 26-191.0 (2.2.3) in all classes of structures other than fireproof Class 1 or fire resistant Class 2, except as hereinafter provided. Approval is further recommended of Masonite Quartrboard as an underlay cushion material over concrete and wood subfloors; and of Masonite Century of Progress Flooring as a wearing surface (floor covering) under C 26-667.0 Par. 4 (10.9.2.4), and that the use of these materials be permitted under the Supplementary Rules and Regulations of the Former Tenement House Department, now the Division of Housing of the Department of Housing and Buildings.

These materials are shipped in bundles, packages, and individual sheets, and it is accordingly recommended that whichever way shipped that they be marked, stamped, or tagged reading as follows: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 403-40-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the materials known as Masonite Quartrboard, Masonite DeLuxe Quartrboard, Masonite Presdwood, Masonite Tempered Presdwood, Masonite Century of Progress Flooring and Masonite Presdwood Temprtle, on condition that these materials be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

404-40-SM.

APPLICANT—Masonite Corporation, owner.

SUBJECT—Masonite Structural Insulation (Fibre Insulation Board), approval of.

APPEARANCES—

For Applicant: Robert T. Miller.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy

4

Negative

0

THE RESOLUTION—

(404-40-SM)

WHEREAS, the Masonite Corporation, of Chicago, Illinois, owner, filed April 15, 1940, an application with the Board of Standards and Appeals for approval of the material known as Masonite Structural Insulation (Fibre Insulation Board); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 3, 1940.

Re: 404-40-SM.

Subject: Masonite Structural Insulation (Fibre Insulation Board).

The Masonite Corporation, of Chicago, Illinois, filed an application on April 15, 1940, with the Board of Standards and Appeals for approval of Masonite Structural Insulation (Fibre Insulation Board) under the requirements of the Fibre Insulation Board Rules of the Board of Standards and Appeals.

Masonite Structural Insulation is manufactured by the applicant at their plant located at Laurel, Mississippi, from wood fibre. This board is manufactured by exploding wood chips in high pressure steam guns. The prepared wood chips are subjected to a steam pressure of approximately 1,000 pounds per square inch. This pressure is suddenly released exploding the chips into fibre. The fibre is then run through refiners and screens to proportion the quantity of coarse, medium and fine fibre; washed to remove wood sugars, and other water soluble ingredients. Unfibred wood is removed by a separation process.

A Fourdrinier forming machine is used to produce the wet lap which is then cut to 4-foot widths and 12-foot lengths, compressed to thickness and dried in heated flat bed hydraulic presses, after which it is cut to sizes and finished as required.

The Committee was impressed with the thoroughness of inspection and control practiced at the plant of the manufacturer. The control tests and inspections are made as follows:

Process Control Tests.

Chips:	Dimension
	Moisture content
Gun Fibre:	Fibre separation
Processed Fibre:	Fibre separation
(Taken at various	Freeness (Rate of drainage)
points during	Consistency (% fibre in total)
processing)	

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Wet Lap: Moisture
Weight
Temperature
Forming Water: Dissolved solids
pH (acid activity)

Physical Tests of Finished Products and Surface Grading.

These control tests include physical checks of weight, thickness, density, strength, water absorption and swelling. The control tests and inspections are regularly conducted at pre-determined intervals so as to produce a material within the limitations of the tolerances set by the manufacturer, which limitations conform to the requirements of the Fibre Insulation Board Rules of the Board.

Throughout the process, the material is subjected to temperatures sufficiently high to destroy any rot-producing fungi, no materials are added capable of producing such fungi, the finished product is delivered in a sterile condition, and the material of itself is repellent to vermin.

This material is manufactured for uses, sizes, thicknesses and joints as follows:

Building Board—Square Joints
Width 4 ft. 0 in.
Length 1 ft. to 12 ft.
Thickness 1/2 in., 3/4 in., 1 in.

Sheathing Board—Tongue and groove (2 ft. x 8 ft.) square
Width 4 ft.
Length 8 ft. to 12 ft.
Thickness 25/32 in.

Plaster Base—Long side shiplapped, short side square edged. Long edges covered with 3 in. diamond mesh metal lath.
Width 24 in.
Length 48 in.
Thickness 1/2 in., 3/4 in., 1 in.

Roof Insulation—Edges square, shiplapped and offset.
Width 22 in. and 24 in.
Length 47 in. and 48 in.
Thickness 1/2 in., 3/4 in., 1 in., 1 1/2 in., 2 in., 2 1/2 in.

Ceiling Tile—Single bevel, VW joint
Width 12 in. to 24 in.
Length 12 in. to 48 in.
Thickness 1/2 in., 1 in.

Plank—Beveled surface and VW joint on 2 long edges, ends square edged.
Width 6 in. to 16 ft.
Length 6 ft. to 12 ft.
Thickness 1/2 in. and 1 in.

Building Board has a smooth, sheen-like surface on one side, is brown in color, with a screen impression on the reverse side; the Sheathing Board is asphalt-coated on all surfaces and edges; the Plaster Base has a sanded surface, brown in color, with screen impressions on the back; the Roof Insulation has the same identifying features as the Building Board; Ceiling Tile and Plank are finished in natural brown color, or finished with special water emulsion oil paint in four colors.

The tests on these materials were made at the laboratories of the R. W. Hunt Company, Armour Institute Company, and checked by the Committee at the laboratories of the manufacturer for conformance with the requirements of Rule 1 of Rules for Insulating Fibre Board with results as follows:

Test on Building Board 1/2 Inch Thick (other than sheathing) and Roof Insulation 1/2 Inch Thick

	Rule Requirements	Test Results
Thermal Conductivity—B. T. U. per hour per sq. ft. per degree F. per inch thickness	0.36 max.	0.328 *
Transverse Strength — lbs. lengthwise	14 min.	16.3 **
Transverse Strength — lbs. crosswise	12 min.	16.3 **
Minimum deflection at ultimate inches	0.25 min.	0.301 **
Maximum deflection at ultimate load—inches ..	0.85 max.	0.418**
Tensile Strength —lbs. per sq. in.	1.75 min.	205 **
Water Absorption —percent	5.0 max.	3.42 *F
Linear Expansion —percent	0.50 max.	0.05 Lengthwise *** 0.04 Crosswise ***
Nail holding strength—lbs. .	60 lb. min.	80.93 Lengthwise *** 70.38 Crosswise ***

* Armour Institute Report (10-5-26).

** Conducted by the Committee.

*** R. W. Hunt Company Report P-1548-A and B.

*F Factory tests.

Test on Dubblscal Sheathing Board 25/32 Inch Thickness.

	Rule Requirements	Test Results
Thermal Conductivity—B. T. U. per hour per sq. ft. per deg. F. per in. thick ..	0.36 max.	0.357 *
Transverse Strength — lbs. lengthwise	21.75 min.	45.3 **b
Transverse Strength — lbs. crosswise	18.75 min.	46.6 **b
Minimum deflection at ultimate load—in.	0.25 min.	.211**b
Maximum deflection at ultimate load—in.	0.85 max.	.289**b
Tensile Strength —lbs. per sq. in. lengthwise	175 min.	250 **b
Tensile Strength —lbs. per sq. in. crosswise	175 min.	233 **b
Water Absorption—percent ..	5.0 max.	2.27 *F
Linear Expansion —percent	0.50 max.	0.16 *F
Nail holding strength—lbs. .	100	170.5 **a, **b

* Armour Institute Report (3-18-38).

*F Factory tests.

**a See R. W. Hunt Report No. 42107-9 for additional data in racking test results on comparison between horizontal wood sheathing and 4 ft. x 8 ft.

**b Conducted by the Committee.

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Test on Plaster Base 1/2 Inch.

Same physical characteristics as given under the test for Building Board, including bond strength as follows:

	Rule Requirements	Test Results
Bond Strength— lbs. per sq. ft. of bond surface	700	1200 *

* See R. W. Hunt Report No. 26311.

On the basis of the foregoing tests meeting the requirements of Rule 1, the Committee recommends the approval of Masonite Insulation Board (Insulating Fibre Board) in the sizes and thicknesses as specified herein for use in accordance with the requirements of Rule 2 of the Insulating Fibre Board Rules of the Board of Standards and Appeals when used and installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend, and that the use of each class of board shall be limited to the uses as prescribed herein. When used for sheathing, full length and width boards shall be used; over doorways and over and under windows vertical and horizontal 2 x 4's shall be provided so as to afford nailing bases along all edges of the board so used. This material is shipped in packages and each such contained shall be marked, tagged or labeled as follows, with the use of each type of board indicated and in addition shall bear the following inscription: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 404-40-SM" when installed under the requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Masonite Structural Insulation (Fibre Insulation Board), on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

Adjourned, 3:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JUNE 4, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

636-20-BZ.

APPLICANT—Edwin W. Kleinert, for Constant Motor Service Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment — re decision of the borough superintendent of buildings — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting, partly in an unrestricted use district and partly in a business use district, the reconstruction of

a series of multiple garage buildings and a gasoline service station (previously granted by the Board), so as to provide automobile sales room and motor vehicle repair shops with openings to 66th street.

PREMISES AFFECTED—6434-6520 Fifth avenue and 435-483 66th street, northwest corner (Block No. 5827, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief McCarthy..... 1

330-22-BZ.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under section 7c of the building zone resolution, permitting in a residence use district the extension of a business use (previously granted by the Board).

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2 1/2 in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief McCarthy..... 1

920-38-BZ.

APPLICANT—Lama and Proskauer, for Irving Yarvin, owner.

SUBJECT—Application for consideration — reopening on new facts—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously denied.)

PREMISES AFFECTED—139-25 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and set for hearing July 2, 1940, at 10 A.M., subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief McCarthy..... 1

51-30-BZ.

APPLICANT—Austin W. Magee, for Seminole Garage, Incorporated, lessee, and Topsy's Queens Boulevard Corporation, sub-lessee. Cord Meyer Development Company, owner.

SUBJECT—Application for consideration — reopening

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and amendment—re Application (decision of the borough superintendent of buildings), under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles and, also, the installation of a gasoline service station.

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street (Seminole avenue), northeast corner, and 112-16 to 112-40 75th avenue (Atom street); (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum.....	3
Absent: Assistant Chief McCarthy.....	1

73-38-BZ.

APPLICANT—Abraham J. Halprin, for Sears, Roebuck and Company, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Isidore Sohn.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(73-38-BZ)

WHEREAS, this application under section 7h of the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises 2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn, was granted by the Board June 28, 1938, for a temporary period of two (2) years, on certain conditions; and

WHEREAS, Abraham J. Halprin, for Sears, Roebuck and Company, owner, requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on June 28, 1938, be and it hereby is amended, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a temporary period of approximately one year and ten months, terminating April 9, 1942, coincidental with the permit on the adjoining lot, variance for which was granted for parking use under Cal. No. 1179-39-BZ."

199-38-BZ.

APPLICANT—Jamaterm Realty Company, Incorporated, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the borough superintendent of buildings), granted under section 7f of the building

zone resolution, permitting, for a temporary period of not more than two (2) years, in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—Southeast corner of Van Wyck boulevard (137th street) and 85th avenue (Block No. 9647, Lot Nos. 1, 8, 16, 30 and 32), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Robert Mead.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(199-38-BZ)

WHEREAS, this application under section 7f of the building zone resolution to permit, for a temporary period of not more than two (2) years, in a residence use district, the parking and storage of more than five (5) motor vehicles; premises southeast corner of Van Wyck boulevard (137th street) and 85th avenue (Block No. 9647, Lot Nos. 1, 8, 16, 30 and 32), Jamaica, Borough of Queens, was granted by the Board June 14, 1938, for a temporary period of two (2) years, on certain conditions; and

WHEREAS, the applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on June 14, 1938, be and it hereby is amended, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a temporary term of two (2) years from the date of this amended resolution."

315-38-BZ.

APPLICANT—De Forest and Elder, for Presbyterian Hospital in The City of New York, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—601 West 165th street, northwest corner of Broadway (Block No. 2138, part of Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(315-38-BZ)

WHEREAS, this application under section 21 of the building zone resolution to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 601 West 165th street, northwest corner of Broadway (Block No. 2138, part of Lot No. 40), Borough of Manhattan, was granted by the Board June 28, 1938, for a term of two (2) years, on certain conditions; and

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WHEREAS, DeForest and Elder, for Presbyterian Hospital in the City of New York, owner, requested an extension of the permit.

Resolved, that the resolution adopted by the Board on June 28, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, as to the operation of the premises in a business district, and as to section 21, as to balance of premises within the residential area, for a term of two (2) years from the date of this *amended resolution*, to permit the portion of Lot 40 under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that such parking shall be restricted to automobiles of the doctors and employees of the hospital; that no parking shall be permitted, except such as is duly authorized by the hospital authorities; that the plot shall be leveled substantially to the grade of surrounding streets and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting; that the plot shall be surrounded on all sides by masonry walls or substantial woven-wire fence, with no opening, except the existing opening from West 165th street, at which point there shall be a gate, controlled by an attendant, who shall be delegated by the Police Department to control the operation of the parking lot within the requirements herein set forth and to supervise incoming and outgoing cars across the sidewalk; that the fence along West 165th street shall be supplemented by masonry or other material so as to prevent reflection of light from automobiles; that no building shall be erected on premises, except a shelter, which may be of frame construction, not over 150 sq. ft. in area and not over one story in height, near the entrance for the use of the attendant; that this parking lot shall be opened only from the hours of 7:00 A.M. to 8:00 P.M., except that at other times cars may be permitted to be parked in emergency cases when permitted by the hospital authorities; that except during the hours of 7:00 A.M. to 8:00 P.M. the gate shall be normally locked; that the curb cut opposite the entrance shall not exceed 20 ft. in width; that there shall be no signs and no lights erected on the premises; that proper aisles shall be maintained at all times for entrance and exit of cars; that all cars shall be parked in an easterly and westerly direction and generally toward the northerly end of the plot; that such portable fire-fighting appliances shall be installed as the commissioner shall direct."

344-38-BZ.

APPLICANT—Morris Mistretta (lessee), for The Borden Company, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Mistretta.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(344-38-BZ)

WHEREAS, this application under section 7, subdivision h, of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn, was granted by the Board July 18, 1938, on certain conditions; and

WHEREAS, Morris Mistretta (lessee), for The Borden Company, owner, requested an extension of the permit.

Resolved, that the resolution adopted by the Board on July 18, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a period of two (2) years from the date of this *amended resolution*, only so far as it has reference to the portion of the plot within the business use district for a width of 25 ft. parallel to Kosciusko street and adjoining the unrestricted district, *on condition* that there shall be a fence erected on a line parallel to DeKalb avenue, 75 ft. back therefrom; that there shall be no entrances to Lewis avenue from this portion of the plot within the business use area and that the plot herein not included for parking and storage use, facing on DeKalb avenue, shall not be used for any non-conforming use; that such portion herein permitted in the business use area shall be used in conjunction with the unrestricted area for the parking and storage."

1132-39-BZ.

APPLICANT—F. W. Woolworth and Company (lessee); J. Clarence Davies, Incorporated and Consolidated Edison Company of New York, Incorporated, owners.

SUBJECT—Application for consideration — reopening and amendment — re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building.

PREMISES AFFECTED—31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue, and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Opposition: None.

For Administration: Thomas F. Larkin and Peter Maher, Fire Department.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

MINUTES

THE RESOLUTION—

(1132-39-BZ)

WHEREAS, this application under sections 7c and 21 of the building zone resolution to permit, partly in a business use and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue, and 2580 Frisby avenue (Block No. 3984, Lot Nos. 16 and 30), Borough of The Bronx, was granted by the Board January 9, 1940, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 9, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under sections 7c and 21 of the building zone resolution, to permit the proposed extension into the residential area, substantially as indicated on plans filed with this application, on condition that there shall be a brick wall constructed on the easterly lot line, continuing the rear line of the extension through to Frisby avenue; that such wall shall not be less than 7 ft. in height and shall be properly coped; that the proposed second story of the extension shall be moved easterly, including the access stairway thereto, so that no portion of the proposed extension shall exceed one story in height along the rear lot line for a distance of 10 ft.; that a substantial fence and gate shall be maintained at the street building line of Frisby avenue; that in all other respects all laws, rules and regulations shall be complied with, including the installation of a sprinkler system in the cellar occupied by F. W. Woolworth and Company in accordance with the requirements as modified by the resolution adopted by the Board under Cal. No. 543-40-A."

APPEALS FROM ADMINISTRATIVE DECISIONS.

60-40-A.

APPLICANT—Arthur F. Winter, for G. L. F. Realty Company, Incorporated, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—31-05 Ditmars boulevard, northwest corner of 2nd avenue (Block No. 846, Lot No. 67), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(60-40-A)

WHEREAS, Arthur F. Winter (F. W. Woolworth Company, lessee), for G. L. F. Realty Company, Incorporated, owner, filed January 15, 1940, an appeal from an order of the fire commissioner; premises 31-05 Ditmars boulevard, northwest corner of Second avenue (Block No. 846, Lot No. 67), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 3396-LC, dated October 27, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated December 12, 1939; and

WHEREAS, the building is two stories (32 ft.) in height, 44 ft. 10 in. by 124 ft. 2¾ in. in area; of Class 3 construction; erected in 1923; located in a business use district, and occupied: cellar, storage, 2 persons; first story, sales, 500 persons; second story, office, 12 persons, pursuant to Certificate of Occupancy 36124 issued May 24, 1938; and

WHEREAS, the applicant contends that there is a fireproof, enclosed stairway leading from rear of basement to first story; that there is also a sidewalk freight elevator leading from basement to street; that the basement is ventilated by means of openings in the show window bulkhead and sidewalk elevator doors; that room used for the storage of baled paper is of fireproof construction; that the merchandise carried in the basement is common to the five-and-ten-cent-store occupancy.

Resolved, that the order of the fire commissioner, Order No. 3396-LC, Objection No. 1, be and it hereby is modified and that the appeal be and it hereby is granted on condition that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼-inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

457-40-A.

APPLICANT—David A. Parks (lessee), for Thomas Adams Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—512-A Nostrand avenue, west side, from Macon street to Halsey street, 29 Macon street and 86 Halsey street (Block No. 1843, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: David A. Parks.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn; for consideration for rescindment by fire commissioner.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(457-40-A)

WHEREAS, David A. Parks, for Thomas Adams Realty Corporation, owner, filed May 1, 1940, an appeal from an order of the fire commissioner; premises 512A Nostrand avenue, 29 Macon street and 86 Halsey street (Block No. 1843, Lot No. 20), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 83182-C, dated April 2, 1940, reads:

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"Following orders are issued under C-19-110, Administrative Code.

1. Provide that walls of rooms used for handling photographic film be constructed of fire retarding material, plaster board 1/2 inch or hard asbestos 1/4 inch thick on both sides of wood studs.

2. Make door to room used for handling photographic film metal covered and self-closing.

9. Provide a sprinkler system in the premises. Sprinkler system may be connected to the house water supply. Size and location of piping and heads must be approved by the Fire Department."

and

WHEREAS, the building is five stories (60 ft.) in height, 180 ft. by 75 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1888, and occupied since 1933 as follows: cellar, boiler room; first story, stores and apartments; second to fifth stories, inclusive, apartments; and

WHEREAS, the applicant states and the report of the inspector shows that all film on the premises is safety film.

Resolved, that the appeal be and it hereby is *withdrawn*.

497-40-A.

APPLICANT—Lama and Proskauer, for Paramount Macaroni Manufacturing Company, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED — 349-355 Suydam street, north side, 225 ft. east of Irving avenue (Block No. 3210, Lot Nos. 51 to 54, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Giuseppe Coniglio.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(497-40-A)

WHEREAS, Lama and Proskauer, for Paramount Macaroni Manufacturing Company, owner, filed May 9, 1940, an appeal from an order of the fire commissioner; premises 349-355 Suydam street, north side, 225 ft. east of Irving avenue (Block No. 3210, Lot Nos. 51 to 54, inclusive), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 77109-LC, dated November 14, 1938, reads:

"You are hereby notified that an inspection of the above premises, used as a non-storage garage shows that the following must be done before the permit requested by you can be issued:

FORTHWITH:

1. Separate boiler from remainder of building by unpierced wall of solid masonry at least 8 inches in thickness. Entrance to boiler room to be from exterior of building only. C-19, Title C, Part 1, Article 72, Administrative Code. 2."

and

WHEREAS, the building is one and four stories (62 ft. 3 in.) in height, 90 ft. 6 in. by 90 ft. in area; of Class 3 construction; erected in 1927; located in an unrestricted use C area district, and occupied: cellar, ordinary use; first story, macaroni manufacturing and two-car storage garage, 15 persons; second story, macaroni packing, 12 persons; third and fourth stories, macaroni drying, 40 persons each story; and

WHEREAS, the applicant contends that the gasoline tank

was installed under Permit No. 2059-38; that the tank is only for the owner's use and is isolated from the balance of the building by a brick wall; that the garage portion is located in a one-story extension, separated from the balance of the building by fireproof sliding doors.

Resolved, that the order of the fire commissioner, Order No. 77109-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be an unpierced wall maintained between the boiler-room and the portion used for the two-car garage in which the 550-gallon storage tank is installed; that the pump shall be maintained as located between the exterior garage doors; that there shall be installed in the bottom rail of one leaf of each set of garage doors a ventilating grille not less than 100 sq. in. in area; that the gasoline pumps shall be solely for the servicing of cars belonging to or used by the tenant and that no gasoline shall be sold to others.

517-40-A.

APPLICANT—Samuel Rudy, for William Hinckle Smith, et al, owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—13-19 White street, southwest corner of Sixth avenue (Block No. 178, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rudy.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(517-40-A)

WHEREAS, Samuel Rudy, for William Hinckle Smith, et al, owners, filed May 15, 1940, an appeal from an order and a decision of the fire commissioner; premises 13-19 White street, southwest corner of Sixth avenue (Block No. 178, Lot No. 25), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 7842-LF, dated March 25, 1940, reads:

"Install an approved standpipe system arranged and equipped as per Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, a subsequent decision issued by the fire commissioner on April 15, 1940, reads:

"In reply to your request for reconsideration on Order 7842-LF, requiring a 4 inch standpipe system to be installed in accordance with the requirements of Article 17, Chapter 26, Administrative Code, you are advised that a careful measurement shows the building to be 91 feet in height, and as the Administrative Code requires all existing buildings exceeding 85 feet in height to be provided with a standpipe system, your request must be denied."

and

WHEREAS, the building is six stories (91 ft.) in height, 88 ft. 6 in. by 91 ft. in area; of Class 3 construction; erected prior to 1898; located in an unrestricted use district, and occupied: cellar, vacant; first story, store, office and show-room, 5 persons; second to fourth stories, inclusive, vacant; fifth story, office, 5 persons; sixth story, vacant; and

WHEREAS, the applicant contends that no manufacturing or hazardous business is conducted on the premises; that there is ample means of egress; that the property has been carried at a loss and the installation of the standpipe would entail an expenditure of a considerable sum of money which would result in a hardship to the owner.

Resolved, that the order of the fire commissioner, Order

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No. 7842-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall meet the requirements of all laws, rules and regulations applicable thereto; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct.

526-40-A.

APPLICANT—Boro Wood Products Company (lessee), for Legis Realty Company, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—63-02 59th avenue (Hemlock street), southeast corner of 63rd street (Hedwig street); (Block No. 2755, Lot No. 22), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Hiram Hall, James Roley and Murray Goldman.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(526-40-A)

WHEREAS, Boro Wood Products Company (lessee), for Legis Realty Company, owner, filed May 16, 1940, an appeal from an order and a decision of the fire commissioner; premises 63-02 59th avenue (Hemlock street), southeast corner of 63rd street (Hedwig street), (Block No. 2755, Lot No. 22), Maspeth, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 82760-LC, dated February 16, 1940, reads:

"2. Provide an approved storage system for the storage of Salvisol No. 2 and No. 3. Plans and specifications to be filed with and approved by the Division of Buildings, before the work of installing storage system is commenced. Tanks to be tested and installation supervised by a representative of Division of Combustibles, Fire Department.

3. Discontinue the storage of spraying, dipping and immersing materials in excess of 200 gallons in a storage room. Rule 6.2, Spray Rules."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated May 14, 1940; and

WHEREAS, the building is one story (20 ft.) in height, 150 ft. by 200 ft. in area; of Class 3 construction; located in an unrestricted use district; erected over fifty years ago, and occupied since March 19, 1940, as follows: basement, storage and mixing of paints and manufacturing mill work, 25 persons; first story, spraying and manufacturing mill work, 40 persons; and

WHEREAS, the applicant contends that the building is open on all sides and protected by a sprinkler system and stand-pipe system; that the paint room is located in the southwest corner of the basement and completely isolated from the rest of the building by terra cotta block partitions, finished with cement plaster; that the floor of the paint room is concrete and the ceiling is fire-retarded; that the entrance door is equipped with a fireproof metal door; that the building is mechanically ventilated; that it is necessary to maintain 400 gallons of paint and solvents on the premises; that these paints consist of synthetic enamel with a resinoid base, varsol solvent which has a flashpoint of approximately 102 degrees F. and Picco No. 8 solvent which has a flashpoint of approximately 95 degrees F.; that only fifty gallons of varsol solvent is stored on the premises; that in view of the fact that the paint room is isolated from the rest of the building,

and that the nearest building is 150 ft. distant therefrom, it is respectfully requested that the order be modified.

Resolved, that the order of the fire commissioner, Order No. 82760-LC, as to Items 2 and 3, be and it hereby is *granted on condition* that the combustible materials shall be stored in approved drums within an enclosed room constructed of fireproof materials, located as proposed in the cellar, as shown on plans filed herewith, said room to be separated from the balance of the premises by fireproof partitions; that the ceiling shall be fire-retarded with cement plaster on wire lath; that the sprinkler system throughout shall be maintained to the satisfaction of the fire commissioner, and that such portable fire-fighting appliances shall be installed and maintained throughout the plant as he shall direct; that the quantity of combustible materials shall not exceed 450 gallons of paint and solvents and not over fifty gallons of varsol solvent, making a total of 500 gallons; that the paint-spraying equipment used on the premises shall be of an approved type; that the door from the cellar storage room to the stairway shall be arranged to swing in the direction of exit and made self-closing, and that all electric fixtures and switches shall be of a type approved for use in an explosive occupancy.

541-40-A.

APPLICANT—Franklin and Raad, for Milton J. Schloss, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—450 Westchester avenue, south side, 125.36 ft. west of Brook avenue (Block No. 2294, Lot No. 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward W. Franklin and Thomas O. Raad.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3

Negative 0

Absent: Assistant Chief McCarthy..... 1

THE RESOLUTION—

(541-40-A)

WHEREAS, Franklin and Raad, for Milton J. Schloss, owner, filed May 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 450 Westchester avenue, south side, 125.36 ft. west of Brook avenue (Block No. 2294, Lot No. 49), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 105-40, reads:

"11. Marquee over sidewalk not permitted unless used in connection with a type of building enumerated in (2.4.1.4.8)."

and

WHEREAS, the building is three stories (38 ft.) in height, 25 ft. by 80 ft. 4 in. in area; of Class 3 construction; located in a business use district; date of erection unknown; occupied: cellar, meat packing, boiler room and machine room, 5 persons; first story, meat packing, 15 persons; second story, office and locker rooms, 50 persons; third story, storage, salesroom and office, 25 persons; and

WHEREAS, the applicant contends that this building is located in a section largely devoted to the handling and storage of meat; that this building will be used to store and handle meat on the entire first story and cellar; that a marquee is essential to handle the meat from the coolers to the delivery trucks in order to protect the meat in bad weather; that marquees now exist at similar buildings at Nos. 454-457 Westchester avenue, northwest corner of Westchester and Brook avenues, and almost the entire block on Brook avenue, north of Westchester avenue.

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Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. 105-40, Objection No. 11, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the marquee shall not exceed the areas proposed, and shall meet in all other respects the requirements of the Building Code therefor, and shall be continued only so long as the building is used as proposed for the handling and storage of meat; that no advertising signs shall be erected on the marquee.

543-40-A.

APPLICANT—Arthur F. Winter, for J. Clarence Davies, Incorporated, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—32-34 Westchester square, west side, 185 ft. 6 3/16 in. south of Frisby avenue (Block No. 3984, part of Lot No. 16), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(543-40-A)

WHEREAS, Arthur F. Winter (F. W. Woolworth Company, lessee), for J. Clarence Davies, Incorporated, owner, filed May 17, 1940, an appeal from an order and a decision of the fire commissioner; premises 32-34 Westchester square, west side, 185 ft. 6-3/16 in. north of Frisby avenue (Block No. 3984, part of Lot No. 16), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, Order No. 1872-LF, dated August 9, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16 Chapter 26 Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated May 9, 1940, reads:

"In reply to your request for reconsideration on Order No. 1872-LF, pending against the above premises and requiring a sprinkler system in the cellar, you are advised that a reinspection has been made and in view of the large amount of combustible material stored in the cellar, your request must be denied."

and

WHEREAS, the building is one story and pent house (27 ft.) in height, 47 ft. 3/8 in. by 168 ft. 6 in. average in area; of Class 3 construction; erected in 1935; located in a business and residence use district, and occupied: cellar, boiler-room and paper storage, 1 person; first story, store, 20 persons; pent house, girls' room; it is proposed to occupy the building: cellar, same, 5 persons; first story, same, 350 persons; pent house, same, 10 persons; and

WHEREAS, the applicant contends that the basement is adequately ventilated by means of openings in the show window bulkheads and sidewalk elevator doors; that there are two stairs enclosed in fireproof construction, equipped with self-closing fireproof doors; that the room used for the storage of baled paper is protected with fireproof self-closing doors; that the boiler-room is entirely enclosed with fireproof construction; that the entire basement ceiling is fire-retarded; that the merchandise carried in the basement is common to

five-and-ten-cent-store type of occupancy; that all aisles are 3 ft. wide and kept clear at all times.

Resolved, that the order of the fire commissioner, Order No. 1872-LF, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1 1/4-inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a siamese inlet of approved type on the exterior of the building at Westchester square, such inlet to be not less than 10 in. above the sidewalk; that the caps of this siamese hose inlet and sign stating area covered shall be painted aluminum.

552-40-A.

APPLICANT—Robert I. Yudell, for S. Feldman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1759 69th street, north side, 254 ft. 10 in. west of 18th avenue (Block No. 5576, Lot No. 63), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert I. Yudell, Sarah Feldman and Sam Feldman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(552-40-A)

WHEREAS, Robert I. Yudell, for S. Feldman, owner, filed May 22, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1759 69th street, north side, 254 ft. 10 in. west of 18th avenue (Block No. 5570, Lot No. 63), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application 4325-39, dated May 16, 1940, reads:

"1. Proposed layout indicates intention to use building for other than two family occupancy."

and

WHEREAS, the building is two stories (25 ft.) in height, 22 ft. by 70 ft. in area at first story and 22 ft. by 54 ft. in area at second story; of Class 4 construction; located in a residence use D area district; erected in 1940, and occupied: cellar, storage; first story, dwelling, one family; second story, dwelling, one family; it is proposed to be occupied the same throughout; and

WHEREAS, the proposed work constitutes a one-story frame extension, 16 ft. by 17 ft. in area, to include a bedroom, bathroom and alcove; access to the extension will be from the present building and from the exterior; and

WHEREAS, the applicant contends that the plans were approved for a one-story frame extension; that the owner proceeded to build according to the approved plans and with slight modifications; that amended plans were filed showing the changes from the approved plans, and such amendment was denied; that the appeal is now taken from the decision

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on such denial; that it was not contemplated that the building would be occupied for more than two families; that a sworn statement by the owner filed clearly outlined his intentions as to the use of the extension; that a modification of the decision is requested to permit the building to continue as a two-family dwelling.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. 4325-39, Objection No. 1, dated May 16, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than two families shall reside within the building; that the first story at no time shall be occupied by more than one family, and that no cooking shall be done on the first story except in the kitchen; that no additional cooking facilities shall be provided within the building on the first story other than in one kitchen; that an affidavit signed by the owner shall be filed with the borough superintendent of buildings stating that the requirements of this resolution shall be complied with at all times; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that the certificate of occupancy when issued shall refer to the requirements of this resolution.

553-40-A.

APPLICANT—Sun Oil Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner — re Transportation of Gasoline in Tank Truck (construction of tank not in accordance with Fire Department specifications covering Gasoline Tank Trucks), in New York City.

APPEARANCES—

For Applicant: J. J. Kelly.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied; motion to reconsider carried; motion to make a recommendation to the fire commissioner carried.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy 3

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE VOTE TO MAKE A RECOMMENDATION TO THE FIRE COMMISSIONER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3

Negative: Assistant Chief McCarthy 1

THE RESOLUTION—

(553-40-A)

WHEREAS, Sun Oil Company, owner, filed May 22, 1940, an appeal from a decision of the fire commissioner, relating to the use of a tank truck for the transportation of gasoline, the construction of which does not conform to the Fire Department specifications for a gasoline tank truck; and

WHEREAS, the decision of the fire commissioner, dated May 17, 1940, relating to gasoline tank truck No. 1065-704, reads:

"Replying to your letter of even date, relative to operating your gasoline tank truck No. 1065-704, we beg to advise you that this department is without authority to grant you the required permit for the reason that, on admission of the manufacturer, the said cargo tank does not conform to section 5-1 of the specifications for gasoline tank trucks of this department, as provided for by law. Relief may be sought from the Board of Standards and Appeals."

and

WHEREAS, the truck in question, which is stored at 53-02 11th street, Long Island City, is a six-compartment, 1,920-gallon capacity Scott Safety Tank, mounted on a model AFNX-874 G.M.C. chassis, equipped with engine No. 451211 and tank No. 756, known as applicant's truck No. 1065-704, and used for the transportation of gasoline in the City of New York; and

WHEREAS, the applicant contends that it operates only nine gasoline tank trucks in the city, and to be deprived of the use of this one unit would involve a great hardship as it would interfere with the performance of delivery contractual obligations; that it is intended to replace the tank in question with an approved tank as soon as the manufacturer can supply same and, therefore, an extension of time of ninety days to comply with the order is requested.

Resolved, that the Board of Standards and Appeals does hereby *recommend* that the fire commissioner modify his decision of May 17, 1940, so as to permit Gasoline Truck No. 1065-704 to operate in the City of New York, in view of the fact that the appellant states that the truck meets the requirements of the fire commissioner in all respects, except as to the tank, and that a new tank meeting the requirements of the fire commissioner has been ordered and delivery is expected within thirty days, upon the understanding that the tank now on the truck shall be replaced with an approved tank within one month from the date of this recommendation.

557-40-A.

APPLICANT—Arthur F. Winter, for Alfred A. Strelsin, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—102-09 to 102-11 Northern boulevard, north side, 80 ft. east of 102nd street (Block No. 279, Lot No. 39), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(557-40-A)

WHEREAS, Arthur F. Winter, for Alfred A. Strelsin, owner (F. W. Woolworth Company, lessee), filed May 23, 1940, an appeal from an order of the fire commissioner; premises 102-09 to 102-11 Northern boulevard, north side, 80 ft. east of 102nd street (Block No. 279, Lot No. 39), Corona, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 3285-LF, dated October 4, 1939, reads:

"1. Provide a separate and distinct system of automatic sprinklers in cellar, having at least one source of water supply, arranged and equipped as provided in Chapter 26, Art. 16, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated May 16, 1940; and

WHEREAS, the building is two stories (26 ft.) in height, 40 ft. by 100 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1918, and occupied: cellar, stock room; first story, sales room; second story, stock room and toilets; and

WHEREAS, the applicant contends that there is a fireproof enclosed stairway leading from the basement to the first story; that there is also a freight elevator running from the basement to second story, with opening on the first story

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at the rear alley; that ventilation is provided by means of openings in show window bulkheads; that paper is stored in a fireproof enclosed room in basement; that the boiler-room is separated from balance of building by fireproof enclosure; that the merchandise carried in the basement is common to the five-and-ten-cent-store occupancy; that all aisles are 3 ft. wide and kept clear at all times; that the basement ceiling is of fire-resisting material and all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, Order No. 3285-LF, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼-inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that in addition there shall be installed a wet sprinkler head near the top of the elevator shaft and in the paper stockroom on the second story, which head may be connected from the water supply on said story; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

563-40-A.

APPLICANT—Sugarman and Berger, for Clothing Workers Center, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—31-35 West 15th street, north side, 425 ft. west of Fifth avenue (Block No. 817, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert G. Berger.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(563-40-A)

WHEREAS, Sugarman and Berger, for Clothing Workers Center, Incorporated, owner, filed May 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 31-35 West 15th street, north side, 425 ft. west of Fifth avenue (Block No. 817, Lot No. 21), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application 1115-1940, dated April 24, 1940, reads:

"2. Building should be of fireproof construction throughout."

and

WHEREAS, the building is six stories (75 ft.) in height, 75 ft. 2½ in. by 99 ft. in area; of Class 3 construction; equipped with a sprinkler system; located in an unrestricted use D area district; erected in 1899, and occupied since 1929 as follows: cellar, storage and boiler-room, 3 persons; first story, showroom, 27 persons; second story, office and wait-

ing room, 70 persons; third story, same, 50 persons; fourth story, same, 45 persons; fifth story, same, 65 persons; sixth story, same, 65 persons; and

WHEREAS, the present Certificate of Occupancy 14812, issued January 7, 1929, permits the occupancy of the building as: cellar, storage and boiler-room, 3 persons; first story, showroom, 27 persons; second story, office and waiting room, 50 persons; third story, office and waiting room, 50 persons; fourth story, factory, 35 persons; fifth story, office and waiting room, 60 persons; sixth story, office and waiting room, 65 persons; and

WHEREAS, it is proposed to change the use of the first story from showroom to meeting room and the occupancy from 27 to 500 persons; and

WHEREAS, the applicant contends that it is proposed to install sufficient toilet accommodations, exits and ventilation; that the entire building is sprinklered; that the first story is at sidewalk level; that the building is owned and entirely occupied by the Amalgamated Clothiers Union.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Applic. No. 1115-40, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto.

566-40-A.

APPLICANT—Grant, Clark and Fox, for Jacob Ruppert, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—218-220 East 93rd street, south side, 135 ft. west of Second avenue (Block No. B-1538, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony J. Caputo and William Schuler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(566-40-A)

WHEREAS, Grant, Clark and Fox, for Jacob Ruppert, owner, filed May 24, 1940, an appeal from an order of the fire commissioner; premises 218-220 East 93rd street, south side, 135 ft. west of Second avenue (Block No. 1538, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 20831-LC, dated February 2, 1940, reads:

"Before permit may be issued to conduct a refrigerating system, the following must be done:

4. Discontinue the practice of webbing direct expansion piping (ammonia) from one building to another building. NOTE: Direct expansion piping has been extended to the ale plant on East 93rd Street."

and

WHEREAS, the order of the fire commissioner refers to Buildings EE and FE; Building EE is four stories (90 ft.) in height, 100 ft. by 76 ft. in area, and Building FE is six stories (90 ft.) in height, 40 ft. by 100 ft. in area; the buildings are of Class 3 construction; located in an unrestricted use B area district; erected in April, 1916, and occupied (Building EE): first basement, racking beer kegs, 8 persons; second basement, ale storage, 8 persons; third basement, ale storage, 8 persons; first story, ale storage, 4 persons; second story, ale fermentation, 3 persons; third story, same, 3 persons; fourth story, vacant; (Building FE): first basement, ale storage; second basement, ale storage;

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third basement, filter room; the occupancy in persons of this building is the same as Building EE; and

WHEREAS, the applicant contends that the correct method of refrigeration has been used in these buildings since 1882; that the extension of the direct expansion system was installed in 1937; that the ammonia line in question runs approximately 100 ft. in a northerly direction from the power plant running from Building B1, and then approximately 200 ft. east through the ale house; that the system consists of six compressors with a total capacity of 1,700 tons of refrigeration; that the ammonia lines are equipped with shut-off valves at both ends; that the pressure in the line does not exceed 180 pounds per square inch; that the ammonia liquid lines are extra heavy welded piping and the suction lines are of 8-inch steel piping; that throughout the entire system the pipes are firmly braced and substantially supported; that the extension of the system in question is reasonably safe; that piping is attached to ceilings where possible so as to avoid mechanical injury; that the denial of this appeal would create a hardship on the owner; that in the event of the passage of the proposed amendment to the Administrative Code, there would be no violation of law involved in the present installation.

Resolved, that the order of the fire commissioner, Order No. 20831-LC, be and it hereby is *modified*, as to Objection No. 4, *on condition* that the refrigerating system shall be installed and maintained to the satisfaction of the fire commissioner.

567-40-A.

APPLICANT—Thomas W. Lamb, Incorporated, for Sailor's Snug Harbor, owner (8th Street Realty Corporation, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—265 Greene street and 36-42 East 8th street, southwest corner (Block No. 548, Lot Nos. 12-15, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Williams.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(567-40-A)

WHEREAS, Thomas W. Lamb, Incorporated, for Sailor's Snug Harbor, owner, filed May 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 265 Greene street and 36-42 East 8th street, southwest corner (Block No. 548, Lot Nos. 12 to 15, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 76-40, dated April 30, 1940, reads:

"4. Comply with 12.17, Building Code, for fire extinguishing appliances. Provide standpipe." and

WHEREAS, the proposed building will be one and three stories (33 ft. 11¾ in.) in height, 100 ft. 2½ in. by 114 ft. 11 in. in area; of Class 1 construction, located in a business use district, and be occupied (Front Building): sub-cellar, six stores, office and Class A multiple dwelling; cellar, storage; first story, stores and theatre lobby; second story, Class A multiple dwelling; third story, office; (Theatre Building): cellar, boiler and equipment room; first story, motion picture theatre, 599 seats; and

WHEREAS, the applicant contends that the objection requires the installation of a separate standpipe system for the

theatre portion of the building; that this portion has been designed to conform with Group 1 of structures exempt from the general requirements of Article 13; that the auditorium is a one-story structure, 5,800 sq. ft. in area, separated from the balance of the building by four-hour fire-resistant construction; that the entire building is of Class 1 construction; that it is proposed to install three 2½-gallon extinguishers in the auditorium, one in the accommodation quarters, and such other fire-fighting equipment as will be required by the Fire Department.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 76-40, Objection No. 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the portion to be occupied by the motion picture theatre shall be separated at all points from the balance of the building by approved four-hour fire-resistive construction, and that such portable fire-fighting appliances shall be installed throughout the theatre as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

571-40-A.

APPLICANT—Frank C. Keller, for Weeks Woodlands, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—32-06 to 32-26 Bell boulevard, southwest corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(571-40-A)

WHEREAS, Frank C. Keller, for Weeks Woodlands, Incorporated, owner, filed May 27, 1940, an appeal from a decision of the borough superintendent of buildings; premises 32-06 to 32-26 Bell boulevard, southwest corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 2839, 2840, 2841, 2883, 2878 and 2884-40, dated May 9, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 273.32 ft. on Bell boulevard and 100.69 ft. on 32nd avenue; located in a business use D area district; it is proposed to subdivide the plot into six separate lots and to erect on each lot a two-story frame dwelling and a private garage of frame construction; and

WHEREAS, the applicant contends that the property affected has no present value for business development; that it would be a hardship for the owner to hold the property until such time as the area would be sufficiently developed to warrant the erection of stores; that a modification of the Code is requested in order to permit the erection of frame dwellings.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. Nos. 2839, 2840, 2841, 2883, 2878 and 2884-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the zoning resolution as to the F area dis-

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trict shall be complied with in all respects, except as to side yards, and in this respect the distance between buildings shall be not less than 10 ft., and no building shall be nearer than 10 ft. to a street side lot line on a corner building; that each building shall be occupied for residential use only and for one family each; that in all other respects the building shall comply with the requirements of the Building Code for residential buildings erected outside the fire limits; that the garage accessory to the residential building shall be not nearer than 1 foot to any lot line and shall be in harmony in design and construction with the residence building; that the residence building and garage shall be veneered with brick or masonry for the height of one story; that the gable end of the garage toward the rear lot line shall be constructed of incombustible materials unless no portion of the garage is less than 3 ft. to a lot line.

572-40-A.

APPLICANT—Frank C. Keller, for Weeks Woodlands, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—32-03 to 32-11 213th street, southeast corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3

Negative 0

Absent: Assistant Chief McCarthy..... 1

THE RESOLUTION—

(572-40-A)

WHEREAS, Frank C. Keller, for Weeks Woodlands, Incorporated, owner, filed May 27, 1940, an appeal from a decision of the borough superintendent of buildings; premises 32-03 to 32-11 213th street, southeast corner of 32nd avenue (Block No. 6063, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 2831, 2882 and 2881-40, dated May 9, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 422 ft. on 213th street and 100.69 ft. on 32nd avenue; located in a business use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a two-story frame dwelling and a private garage of frame construction; and

WHEREAS, the applicant contends that the property affected has no present value for business development; that it would be a hardship for the owner to hold the property until such time as the area would be sufficiently developed to warrant the erection of stores; that a modification of the Code is requested in order to permit the erection of frame dwellings.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. Nos. 2831, 2882 and 2881-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the zoning resolution as to the F area district shall be complied with in all respects, except as to side yards, and in this respect the distance between buildings shall be not less than 10 ft., and no building shall be nearer than 10 ft. to a street side lot line on a corner building; that each building shall be occupied for residential use only and for one family each; that in all other respects the build-

ing shall comply with the requirements of the Building Code for residential buildings erected outside the fire limits; that the garage accessory to the residential building shall be not nearer than 1 foot to any lot line and shall be in harmony in design and construction with the residence building, and shall be veneered with brick or masonry for at least one story in height; that the gable end of the garage toward the rear lot line shall be constructed of incombustible materials, unless no portion of the garage is less than 3 ft. to a lot line.

579-40-A.

APPLICANT—Bedford Stuyvesant Associates, for New York City Housing Authority, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by north side of Bergen street, east side of Rochester avenue, south side of Pacific street, west side of Ralph avenue and east side of Ralph avenue, 190 ft. east, between Pacific and Dean streets (Block No. 1344, Lot Nos. 1-89, inclusive; Block No. 1350, Lot Nos. 1-54, inclusive; Block No. 1345, Lot Nos. 1-12 and 44-80; Block No. 1351, Lot Nos. 1-77, and Block No. 1438, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Blomberg and Jack A. Wahl.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3

Negative 0

Absent: Assistant Chief McCarthy..... 1

THE RESOLUTION—

(579-40-A)

WHEREAS, Bedford Stuyvesant Associates, for New York City Housing Authority, owner, filed May 28, 1940, an appeal from decisions of the borough superintendent of buildings; premises blocks bounded by north side of Bergen street, east side of Rochester avenue, south side of Pacific street, west side of Ralph avenue and east side of Ralph avenue, between Pacific street and Dean street (Block No. 1344, Lot Nos. 1 to 89, inclusive; Block No. 1350, Lot Nos. 1 to 54, inclusive; Block No. 1345, Lot Nos. 1-12 and 44-80, inclusive; Block No. 1351, Lot Nos. 1 to 77, inclusive; Block No. 1438, part of Lot No. 1), (Kingsborough Houses), Borough of Brooklyn; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Applic. Nos. 939, 940 and 941-40, dated May 13, 1940, read:

"1. Roof construction must comply with 10.3.1 of Code (C26-619.0 of Administrative Code) which requires the roof insulation to be covered with 1½ in. of Portland cement mortar.

2. Proposed use of non-structural tile for backing of exterior walls of buildings is contrary to 7.1.1.3 of Code (Sec. C26-308.0 of Administrative Code) which specifies a structural tile for walls wholly or in part exposed to the weather."

and

WHEREAS, the proposed buildings will consist of thirty-nine units and will be six stories in height; of Class 1 construction; located in an unrestricted, business and residence use C area district, and will be occupied throughout as multiple dwellings; and

WHEREAS, the applicant contends that it is proposed to omit the covering of 1½ inch thickness of Portland cement concrete on the cork or fibre board which will be used for insulating the roofs; that the cork or fibre insulation board will be directly covered with four-ply felt tar and slag or

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gravel finish; that the fibre or cork board will be laid on reinforced concrete slab having a minimum thickness of $4\frac{1}{2}$ in. in a bed of hot pitch using not less than forty pounds per 100 sq. ft.; that the insulation board will be laid with close but not tight joints; that approved felt stops will be provided so as to isolate areas of insulation board of approximately 400 sq. ft. each; that over the insulation board a uniform coat of hot coal tar pitch of not less than forty pounds per 100 sq. ft. will be applied; that over this coating four layers of approved felt will be applied, each slab mopped with hot tar pitch, using not less than twenty-five pounds per 100 sq. ft. for each mopping; that over the entire surface will be poured coal tar pitch not less than 105 pounds per 100 sq. ft. into which will be embedded graded $\frac{1}{4}$ to $\frac{5}{8}$ in., not less than 450 pounds per 100 sq. ft.; this slag will be tamped and loose particles swept off; that should the $1\frac{1}{2}$ in. cement protection be required the load will be increased by eighteen pounds per sq. ft., requiring additional reinforcement in the roof slab and columns, thus increasing the dead load without any appreciable gain in safety; that all the buildings in the project are Class 1 construction, and it is, therefore, not necessary to provide any additional protection for the roofs.

Resolved, that the decisions of the borough superintendent of buildings, acting on N.B. Applic. Nos. 939, 940 and 941-40, as to Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be a top pouring over the top plv of felt of 105 pounds of high melt-point asphalt or pitch, which may be poured at one time, and in which there shall be embedded slag composed of a mixture of medium $\frac{5}{8}$ in. and coarse 1 in. of an amount not less than 450 pounds per square; as to Objection No. 2, that the proposed 6-inch tile shall comply with the requirements of A.S.T.M. 56-39, and that at no point shall the overall dimensions of the exterior thickness of the shell be less than $\frac{5}{8}$ of an inch.

582-40-A.

APPLICANT—Shampan and Shampan, for Queenside Hills Realty Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—312-314 Bowery, west side, 40 ft. 4 in. south of Bleecker street (Block No. 521, Lot No. 75), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving B. Norin and F. Faulhaber.

For Administration: Fred Dahlem and Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(582-40-A)

WHEREAS, Shampan and Shampan, for Queenside Hills Realty Company, owner, filed May 29, 1940, an appeal from a decision of the borough superintendent of buildings; premises 312-314 Bowery, west side, 40 ft. 4 in. south of Bleecker street (Block No. 521, Lot No. 75), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 498-40, dated May 21, 1940, reads:

"20. Building should be divided into sections of less than 3000 sq. ft. by partitions with a fire rating of three hours, as per Sec. 4.2.1, Sub. (e) of B.C.

21. Exits should comply with Art. 5 and all other

pertinent provisions of Art. 2 and 3 of the M.D.L., as well as Art. 7 of the Building Code."

and

WHEREAS, the building is four stories (56 ft. 3 in.) in height, 50 ft. $1\frac{1}{2}$ in. by 86 ft. 11 in. in area; of Class 3 construction; erected approximately 1876; located in a business use district, and occupied: cellar, storage and factory; first story, storage and factory; second, third and fourth stories, factory; it is proposed to be occupied: cellar, boiler-room and storage; first to fourth stories, inclusive, Class B multiple dwellings; and

WHEREAS, plans were filed for an alteration to the existing building to remove a portion of the present rear extension of first story; to construct a new rear extension on the three upper stories; to lower the front portion of the present roof beams; to install new toilet accommodations, new stairways, new heating plant and other minor alterations; the borough superintendent of buildings approved the plans on condition that two separate stairways be provided; an amendment was filed to eliminate one of these stairways, to increase the width of the other stairway, and to install a fire escape at the rear of the building; this amendment was disapproved with the objections which are now the subject of this appeal; and

WHEREAS, the applicant contends, as to Objection 20, that the total area of the building, excluding stairs, is 3,110 sq. ft.; that this area is unsubdivided, except for some small partitions enclosing toilets and a few other small partitions as shown on plans; that the stair enclosure is of three-hour construction; that the installation of a dividing wall would result in unnecessary expense and that the owner would lose the supervision and control which he now has due to large open area; that there is no fire hazard in the building; that no cooking is done on the premises; that it is proposed to install portable fire extinguishers or fire pails; and

WHEREAS, applicant contends, as to Objection 21, that the exits provided comply with all the requirements of the Multiple Dwelling Law, and consist of one 4 ft. 8 in. stair complying with section 148, and a fire escape complying with section 145, and the supplementary rules and regulations of the Department of Housing and Buildings; that such portion of Objection 21 which relates to article 7 of the Building Code is not applicable as the building is not required to meet article 7; that while article 7, when read with section C26-272.0 of the Building Code, exempts from its requirements only Class A multiple dwellings, it is in direct contradiction of section C26-272.0 of the Building Code; that the Multiple Dwelling Law fully covers exits for Class B multiple dwellings, and it is not intended that the Building Code should apply; that the contradiction contained in C26-272.0 was recognized at a meeting of the building commissioners on October 14, 1938, when such commissioners issued an interpretation to apply to all boroughs; that the requirements of the Building Code as to exits apply neither to Class A nor Class B multiple dwellings; that the decision of the borough superintendent of buildings is not in harmony with the intent of the Building Code, and is arbitrary and unreasonable, in that it attempts to apply a section of the Building Code to this building which has not been applied to other buildings of the same kind and class; and

WHEREAS, the Multiple Dwelling Law is silent as to the definition of a dormitory, as proposed in this building, and the definition of an apartment in the Multiple Dwelling Law does not apply to the dormitory that is proposed.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. 498-40, Objection No. 20, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building shall comply with the requirements of section C26-254.0 (e), and *on condition* that the exits shall comply with section 144 of the Multiple Dwelling Law as to construction and location, and *granted*, as to Objection No. 21, modifying the requirements of article 7 of the Building Code, *on condition* that the windows along the course of the fire escape

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shall be fireproof and self-closing; that the capacity of the exits shall meet the requirements of the Building Code therefor, and that in all other respects the requirements of the Multiple Dwelling Law, the Building Code and all other laws, rules and regulations shall be complied with.

31-38-A-WF.

APPLICANT—Austin W. Magee, for Seminole Garage, Incorporated, lessee, and Topsy's Queens Boulevard Corporation, sub-lessee; Cord Meyer Development Company, owner.

SUBJECT—Application for consideration — reopening and amendment — re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner, and 112-16 to 112-40 75th avenue (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum.....	3
Absent: Assistant Chief McCarthy.....	1

VARIATIONS OF THE LABOR LAW.

542-40-S.

APPLICANT—Julius Eckmann, for 37 West 65th Street Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—37-43 West 65th street, north side, 100 ft. east of Columbus avenue (Block No. 1118, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckmann and E. E. Bloodgood.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(542-40-S)

WHEREAS, Julius Eckman, for 37 West 65th Street Corporation, owner, filed May 20, 1940, an application for a variation of the labor law as cited in a decision of the borough superintendent of buildings; premises 37-43 West 65th street, north side, 100 ft. east of Columbus avenue (Block No. 1118, Lot No. 8), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. 1013-40, dated April 30, 1940, reads:

"1. This building should comply fully with Sect. 26 of Labor Law for construction, also, Rule 1317, Industrial Code for windows."

and

WHEREAS, the building is seven stories (83 ft. 1½ in.) in height, 100 ft. by 100 ft. in area; of Class 1 construction; located in a business use district; erected in 1923 and altered in 1926; occupied: cellar, boiler-room and storage, 2 persons; first story, stores and five-car garage, 25 persons;

second story, showrooms and offices, 25 persons; third story, school, 25 persons; fourth to seventh stories, inclusive, offices, storage and showrooms, 25 persons each story; it is proposed to be occupied: cellar, same; first story, same; second to seventh stories, inclusive, showrooms, offices and 25 per cent. manufacturing, 50 persons each story; the building is equipped with a sprinkler system and two interior stairs 3 ft. 8 in. wide, of fireproof construction; and

WHEREAS, the applicant contends that this application is only made as to the front windows, as the other windows are fireproof and the balance of the construction complies with the labor law; that all other objections raised by the borough superintendent of buildings will be complied with; that the present occupancy of the building is business; that it is proposed to change same to 25 per cent. manufacturing use; that the tops of the windows on the sixth story front are about 70 ft. above curb level; that the entire front windows on the seventh story are above the 70 ft. height level contained in the labor law; that the automatic sprinkler system is equipped with a 15,000-gallon tank 20 ft. above the roof, and a street connection; that this sprinkler system should be considered as the equivalent for the lack of conformance of the windows, especially in view of the fact that only a small portion of the windows are above the 70 ft. height level.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law and that the application be and it hereby is granted, modifying the decision of the borough superintendent of buildings, on Alt. Applic. No. 1013-40, Objection No. 1, only so far as it has reference to the requirements of rule 1317 of the Industrial Code, as to windows, on condition that in all other respects the building shall comply with the requirements of the labor law and all other laws, rules and regulations applicable to the construction and occupancy, and that the sprinkler system shall be maintained in accordance with the requirements.

862-23-S.

APPLICANT—Jack Z. Cohen, for John B. Cuneo, owner.

SUBJECT—Application for consideration — reopening and amendment — re variation of the labor law as cited in an order of the fire commissioner.

PREMISES AFFECTED—393-397 Smith street, east side, 71 ft. 7½ in. north of Fourth street (Block No. 464, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(862-23-S)

WHEREAS, this application for a variation from the requirements of the labor law, as cited in an order of the fire commissioner; premises 393-397 Smith street, east side, 71 ft. 7½ in. north of Fourth street (Block No. 464, Lot No. 4), Borough of Brooklyn, was granted by the Board October 2, 1923, on certain conditions; and

WHEREAS, Jack Z. Cohen, for John B. Cuneo, owner, requested an amendment of the resolution as to iron bars on the first story windows; and

WHEREAS, the occupancy of the building is now used as factory throughout and bars have been constructed on the windows facing the north, south and east; and

WHEREAS, an order has been issued by the fire commissioner, Order No. 4638-LF, Item 5, which requires that iron

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bars shall be made readily removable as required under section 272 of the labor law.

Resolved, that the resolution adopted by the Board on October 2, 1923, be and it hereby is *amended* by adding thereto:

"that the gratings may be continued on the windows to the south, north and east, *on condition* that the front and rear exits shall be maintained at all times and readily openable during business hours; that the occupancy of the first story shall not exceed five (5) persons and shall continue only so long as the unbuilt upon open yards to the north and south on adjoining properties are maintained; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

APPLIANCES SUBMITTED FOR APPROVAL.

21-36-SA.

APPLICANT—Herco Oil Burner Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment — re Herco Oil Burner, additional Model P-5.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and referred to engineer of the Board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

416-39-SA.

APPLICANT—Walter Shwab (agent), for Northern Indiana Brass Company, owner.

SUBJECT—Application for consideration — reopening and amendment — re Approval of Nibco King Type Anti-Syphon, No. 09 A. (Nibco Ace Type Back-Siphon Ballcock, previously approved).

APPEARANCES—

For Applicant: Albert L. Altmann.

ACTION OF BOARD—Application reopened and referred to engineer of the Board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

MATERIALS SUBMITTED FOR APPROVAL.

116-40-SM.

APPLICANT—Coyne and Delany Company, owner.

SUBJECT—Coyne and Delany Vacuum Breaker No. 95, approval of.

APPEARANCES—

For Applicant: John J. Delany.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Absent: Assistant Chief McCarthy.....	1

THE RESOLUTION—

(116-40-SM)

WHEREAS, Coyne and Delany Company, owner, filed January 31, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Coyne and Delany Company Vacuum Breaker No. 95; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 116-40-SM.

Subject: Approval of Coyne and Delany Vacuum Breaker No. 95.

Coyne and Delany Company, of 828 Kent avenue, Brooklyn, owners, filed January 31, 1940, and amended April 5, 1940, an application with the Board of Standards and Appeals for approval of the Coyne and Delany Company Vacuum Breaker No. 95.

The first unit submitted was tested on February 16, 1940, in the presence of representatives of the manufacturers and of the Board of Standards and Appeals and of the Department of Water Supply, Gas and Electricity on the test bench of the Department of Water Supply, Gas and Electricity, at 32 Vandewater street, and while the unit successfully withstood the bench test, further tests were necessary under water consumption conditions. The applicant, however, amended his application, substituting an improved disc.

The unit is designed as a vacuum breaker for flushometer outlets only, the mechanical principle being the utilization of a cone-shaped disc suspended in the waterway which under flow conditions collapses and under vacuum conditions in the riser expands, closing the waterway. This is a distinct departure from mechanical principles heretofore used and additional tests were made under water consumption conditions. The units were installed under actual consumption conditions at the 96th Street Pumping Station and 24th Street Testing Station of the Department of Water Supply, Gas and Electricity and additional vacuum tests were made at the testing branch, 32 Vandewater street.

The unit successfully withstood a vacuum the equivalent of 28 inches of mercury and a duration test vacuum of 25 inches of mercury for a period of five minutes. Examination indicated that the rubber cone disc and the airport washers showed no signs of oxidation or vulcanization and both rubber parts maintained resiliency. Affidavits have been filed certifying to the oven and oxygen pressure tests to simulate ageing.

On the basis of the above test it is recommended that the Coyne and Delany Vacuum Breaker No. 95 for flushometer valve be approved for use in New York City on condition that the material bear a label reading:

"Approved for use in New York City by the Board of Standards and Appeals Under Cal. No. 116-1940-SM.

Or in lieu thereof, a die or stamp be made (and stamped or labeled on article, container, bag, box, bundle or cask) bearing the following inscription within a circle: Around the periphery, at the top the word 'App'vd., along the bottom: B.S. & A., in the center, two lines, upper line reading, N.Y.C., lower line reading, Cal. No. 116-40-SM.'"

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Coyne and Delany Company Vacuum Breaker No. 95, *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

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282-40-SM.

APPLICANT—M. J. Merkin Paint Company, Incorporated, owner.

SUBJECT—Merkin Metal Protective Coating No. 905, No. 291 and R. P. Asphalt Emulsion (Field Coat Paint for Structural Steel) and Merkin Metal Protective Coating, Nos. 61, 62 and 465 (Shop Coat Paints for Structural Steel), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief McCarthy..... 1

THE RESOLUTION—

(282-40-SM)

WHEREAS, M. J. Merkin Paint Company, Incorporated, owner, filed March 15, 1940, an application with the Board of Standards and Appeals for approval of their materials known as Merkin Red Oxide Primer for Structural Steel and No. 291 Black Graphite Finish Coat for Structural Steel; and

WHEREAS, these materials were submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 282-40-SM.

Subject: Approval of Merkin Red Oxide Primer for Structural Steel and No. 291 Black Graphite Finish Coat for Structural Steel.

The M. J. Merkin Company, Incorporated, owner, filed March 15, 1940, an application with the Board of Standards and Appeals for approval of Merkin Red Oxide Primer for Structural Steel and No. 291 Black Graphite Finish Coat for Structural Steel under the provisions of C26-191.0 (2.2.3) and C26-522.0 (8.6.2.10) Administrative Building Code.

Merkin No. 62 Red Oxide Primer for Structural Steel conforms to Federal Specification JJJ-0-336 for linseed oil TT-D-651 for drier, and TT-T-291 for thinner and TT-P-31 for iron oxide. The paint is compounded as follows:

Pigment	57.9%
Vehicle	42.1%
Dry Pigment—Red Oxide of Iron	93.6%
Magnesium Silicate	6.4%

The red oxide of iron containing not less than 85% of iron oxide.

The vehicle—Raw Linseed Oil	88%
Liquid Drier and Thinner	12%

Merkin No. 291 Black Graphite Finish Coat for Structural Steel conforms to Federal Specification 3-49-A for Black Graphite J.J.J.-0-331 for linseed oil, TT-D-651 for drier and TT-T-291 for thinner.

The paint is compounded as follows:

Dry Pigment—	
Silica Graphite	83%
Carbon Black	7%
Magnesium Silicate	10%
The Vehicle—	
Raw Linseed Oil	89%
Liquid Thinner and Drier	11%

It is recommended that the M. J. Merkin Paint Company No. 62 Red Oxide Primer for Structural Steel and No. 291 Black Graphite Finish Coat for Structural Steel be approved for use on steel columns under the provisions of C26-524.0 Administrative Code (8.6.2.12 BC) for use in structures of Class 1 and 2 construction, on

condition that the steel shall be protected with fireproof material as required by Sec. C26-611.0 Administrative Code (10.2.1 BC) and be approved under the provisions of C26-522 Administrative Code (8.6.2.10, subdiv. A, B, C) for painting of structural steel on condition that the material be compounded in accordance with the formulas herein contained and that the container of the material shall bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 282-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the materials known as Merkin Red Oxide Primer for Structural Steel and No. 291 Black Graphite Finish Coat for Structural Steel, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

549-40-SM.

APPLICANT—Ira Hodes, for Kokomo Sanitary Pottery Corporation, owner.

SUBJECT—Kokomo Sanitary Pottery Corporation Six-Gallon Vitreous China Toilet Tank, No. 230, approval of.

APPEARANCES—

For Applicant: Ira Hodes.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief McCarthy..... 1

THE RESOLUTION—

(549-40-SM)

WHEREAS, Ira Hodes, for the Kokomo Sanitary Pottery Corporation, owner, filed May 21, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Kokomo Sanitary Pottery Corporation Six Gallon Vitreous China Toilet Tank No. 230; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 549-40-SM.

Subject: Approval of Kokomo Sanitary Pottery Corporation Six Gallon Vitreous China Toilet Tank No. 230.

Ira Hodes, agent for Kokomo Sanitary Pottery Corporation, filed May 21, 1940, an application with the Board of Standards and Appeals for approval of the Kokomo Sanitary Pottery Corporation Six Gallon Vitreous China Toilet Tank No. 230 under the provision of C26-1276.0.c (14.8.2.3) and C26-1276.0.2 (14.8.2.9) Administrative Building Code.

This closet tank with shelf top cover is drilled for bottom supply. The complete fittings of an approved compound lever elevated ball cock (Northern Indiana Brass) Douglas pattern flush valve 2½-inch rubber tank ball 4 in. x 5 in. solderless copper float, 19 in. 1 PS Chrome plated supply pipe and flange, all metal chrome top lever and 2 in. x 4 in. x 6 in. chrome plated flush elbow.

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The interior dimensions are 12 in. x 19¼ in. x 6 in. with a total capacity of six gallons and a flushing capacity of five gallons. The tank operated satisfactorily on test at 12 East 41st street in the presence of the representative of the Board and of the manufacturer.

On the basis of the test it is recommended that the Kokomo Sanitary Pottery Corporation Six Gallon Vitreous China Toilet Tank No. 230 be approved for use in New York City on condition that the tank bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 549-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Kokomo Sanitary Pottery Corporation Six Gallon Vitreous China Toilet Tank No. 230, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

Recessed at 5:20 P.M. to 10 A.M., June 5, 1940. Reconvened at 10 A.M., June 5, 1940; adjourned 11:50 A.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on April 2, 1940, as they appeared in Bulletin No. 15, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(1204-39-BZ)

WHEREAS, Edward J. Hurley, for Chiara Catella, owner, filed September 29, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, through to Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx; and

WHEREAS, this application was granted by the Board February 6, 1940, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of February 6, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 21 thereof, to permit the premises under

appeal to be occupied as a gasoline service station, on condition that the proposed buildings and the premises shall be arranged substantially as indicated on revised plans marked 'Received March 18, 1940,' and that such plot to be used as proposed as a gasoline service station shall not exceed a depth of 75 ft. along the southerly lot line and a distance of 89 ft. along the northerly lot line; that the accessory building shall be toward the rear and shall be constructed of incombustible materials, except that the roof beams and boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals, and that the roof is surfaced with approved weather surfacing material; that the space behind the accessory building shall not exceed 10 ft. in width and shall have a retaining wall, and gutter for water drainage, for supporting the dirt bank at the rear; that the accessory building shall be arranged for office, car washing and greasing and the greasing equipment shall be of the hydraulic type only; that on the interior lot line there shall be constructed brick walls not less than 7 ft. in height, continuous from the accessory building to the street building line, except that such walls may be reduced to 4 ft. in height for a distance back of 10 ft.; that the gasoline pumps shall not be nearer than 15 ft. to the street building line of Webster avenue; that the entire premises where not covered by accessory buildings, pumps and planted areas shall be cement-paved; that the entrances shall be restricted to two to Webster avenue not over 20 ft. in width each, and no part of any entrance shall be nearer than 5 ft. to the side lot as extended; that a planted area not less than 5 ft. in width and 20 ft. in length shall be maintained along the street building line, as indicated, with concrete curb protection; that gasoline tanks shall be restricted to four, each containing 550 gallons, complying with all laws applicable thereto; that signs shall be restricted to permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that during the term of this permit, the premises shall be used for no other use than permitted herein; that the rear and westerly portion of the lot shall be used for conforming purposes only and not in connection with the gasoline station use; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that complete plans shall be submitted within two months of the date of this resolution to the chairman of the Board for approval before filing same with the Building Department; that all permits required shall be obtained and all work completed within one year from the date of the approval of such plans by the chairman in behalf of the Board."

* Correction—The word "ceiling" deleted in line 32 of resolution and the word "roof" inserted therefor.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1940 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts,

are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

PUBLIC HEARING

PROPOSED RULES FOR THE MANUFACTURE, TESTING AND USE OF CONCRETE MASONRY UNITS.

(639-40-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 12, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

SCOPE:

These rules shall apply only to concrete hollow or solid masonry blocks or tiles irrespective of use, size, shape and aggregates used in their manufacture, so as to obtain the quality of material intended within the scope of C26-309.0 (7.1.1.4), C26-412.0 (8.4.1), as further supplemented by these rules.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, paragraph a, (2.2.1.1.) a, and C26-305.0 (7.1.1.), and C26-412.0 (8.4.1).

1.0 DEFINITIONS.

1.1. Aggregate—The term "aggregate" shall mean inert material which is mixed with cement and water to produce concrete, consisting, in general of sand, pebbles, gravel, cinders, crushed stones, blast furnace slag, burnt shale or clay, or similar materials. Section C26-10.0a (1.2). Dense aggregates, such as sand, pebbles, crushed stones and crushed slag, shall be sound and durable and free from excessive amounts of dust, soft or flaky particles, or shale or other deleterious material. Concrete (block) Product aggregates shall consist of natural sands and gravels, crushed rock, or blast furnace slag, burnt shale, or clay, or other inert materials having clean uncoated grains of strong and durable minerals. It shall be unlawful to use aggregates containing soft, friable, thin, flaky, elongated or laminated particles in excess of three percent, or containing shale in excess of one and one-half percent, or silt and crusher dust finer than the No. 100 standard sieve in excess of two percent. When all three groups of such deleterious materials are present in the aggregates, the combined amounts shall be less than five percent of the combined aggregate. These percentages shall be based on the weight of the combined aggregate as used in the concrete. The maximum size of the aggregate is the clear space between the sides of the smallest square opening through which eighty-five percent by weight of the coarse aggregate can be passed. See C26-315.0 (7.1.2.1). All aggregates shall be free from frost or lumps of frozen material. Where stationary aggregate bins are provided, a coil of steam pipe shall be arranged around the outlet of the bin so that the aggregates can be heated to remove frost and frozen lumps. To facilitate proportioning between fine and coarse aggregates, they shall be separately stored.

1.1.1 Fine Aggregate—All fine aggregate except sand as defined in 1.18 shall be considered as material passing a screen with four meshes per linear inch and shall have at least 15 percent retained on a number 8 screen and consisting of particles one quarter of an inch or less in size. See C26-10.0b (1.2).

1.1.2 Coarse Aggregate—shall be considered as material retained on a screen having four meshes per linear inch, the maximum size shall not exceed 1/3 the thickness of the thinnest web of any concrete masonry unit.

1.2 Blast Furnace Slag—The term "blast furnace slag" shall mean the non-metallic product, consisting

essentially of silicates and alumino-silicates of lime, which is developed simultaneously with iron in a blast furnace. C26-24.0 (1.15).

1.3 Cement—Cement for use under these rules shall include only those Portland Cements, or High Early Strength Portland Cements as are approved by the Board. See C26-312.0, c (7.1.1.7.1).

1.4 Cinders—Cinders may contain a maximum of thirty-five percent by weight of unconsumed carbon and a maximum of one-half percent by weight of sulphur. Section C26-309.0 (7.1.1.4). Such cinders shall be of uniform quality, free from dirt, excessive dust, or other injurious or extraneous matter.

1.5 Concrete Brick—Concrete brick shall consist of a structural unit, usually solid, of a size approximately 8 in. x 3 3/4 in. x 2 1/4 in., except as provided in Rule 6.1.4 with net cross-sectional area at least 75 percent of the gross area. It shall consist of a mixture of Portland Cement and other aggregates to produce a material to meet the strength requirements of Subdivision "a" of Section C-26-307 or C-26-359.0. See C-26-26.0 (1.1.7).

1.6 Concrete Block Products—The term "concrete block products" shall mean bricks, blocks or other units made of cement, aggregates, and water. C26-39.0 (1.30).

1.7 Crushed Stone—The term "crushed stone" shall mean bedded rock or boulders, broken by mechanical means into fragments of varying shapes and sizes. C26-44.0 (1.35).

1.8 Faced Wall—The term "faced wall" shall mean a wall faced with masonry in which the facing and backing are so bonded, or so bonded and anchored, with masonry as to exert common action under load. C26-62.0 (1.5.4).

1.9 Filler Blocks—Filler blocks shall consist of concrete masonry units permanently set in a ribbed floor system and which, when so used, may have structural properties in accordance with the limitations as provided in C26-476.0 (8.5.8).

1.10 Gravel—The term "gravel" shall mean rounded particles, larger than sand grains, resulting from the natural disintegration of rocks. C26-79.0 (1.71).

1.11 Hollow Unit—The term "hollow unit" shall mean any masonry unit whose net cross-sectional area is less than seventy-five percent of its gross cross-sectional area in any plane, measured in the same plane. C26-83.0 (1.75).

1.12 Hollow Masonry—The term "hollow masonry" shall mean masonry consisting wholly or in part of hollow units meeting the strength requirements of sections C26-308.0, C26-309.0, and C26-310.0, and in which the units are laid contiguously with the joints filled with mortar. C26-84.0 (1.76).

1.13 Hollow Wall—The term "hollow wall" shall mean a wall built of solid masonry units so arranged as to provide an air space within the wall. C26-85.0 (1.77).

1.14 Masonry—The term "masonry" shall mean stone, brick, concrete, hollow tile, concrete block or tile, or other similar building units, or materials or a combination of them, bonded together with mortar. C26-93.0 (1.85).

1.15 Non-Bearing Wall—The term "non-bearing wall" shall mean any wall which carries no load other than its own weight. C26-98.0 (1.90).

1.16 Partition—The term "partition" shall mean a non-bearing interior wall one story or less in height. C26-108.0 (1.101).

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1.17 Plaster—The term "plaster" shall mean gypsum or cement plaster. Unless otherwise provided, plaster shall be $\frac{1}{2}$ in. of Portland cement plaster consisting of one part Portland cement, three parts sand and 10% lime putty or $\frac{1}{2}$ in. of gypsum plaster consisting of a scratch coat of $\frac{3}{8}$ in. bond plaster finished with $\frac{1}{8}$ in. white coat of lime putty or other approved finishing material.

1.18 Sand—The term "sand" shall mean small grains one-quarter of an inch or less in size resulting from the natural disintegration of rocks. C26-131.0 (1.126). Sand shall be clean, sharp, coarse and siliceous, free from salt, lime, clay or other foreign materials. C26-312.0 (7.1.1.7.5).

1.19 Solid Masonry—The term "solid masonry" shall mean masonry consisting of stone, brick, sand-lime or concrete brick, or other solid masonry units, or a combination of these materials, laid contiguously with the spaces between the units filled with mortar, or monolithic concrete. Section C26-136.0 (1.131).

1.20 Solid Structural Unit—The term "solid structural unit" shall mean a building unit having a gross volume at least fifty percent greater than a brick, with a net cross-sectional area in any plane at least seventy-five percent of the gross cross-sectional area measured in the same plane. C26-137.0 (1.132).

1.21 Veneered Wall—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability. C26-157.0 (1.148). Also see Rule 9.1.5.2.

1.22 Water—Water shall be clean, free from all organic materials, strong acids or alkalis, or shall be the water used in the city for drinking purposes. C26-312.0 (7.1.1.7.6).

1.23 Water-Cement Ratio—The term "water-cement ratio" shall mean the total quantity of water entering the mixture, including the surface water carried by the aggregate, expressed in terms of the quantity of cement. The water-cement ratio shall be expressed in United States gallons per ninety-four pound sack of cement. C26-160.0 (1.152).

2.0 CONCRETE (BLOCK) PRODUCT MATERIALS AND WORKMANSHIP.

2.1 Materials—The materials used in the manufacture of concrete block products shall consist of approved Portland Cement or high early strength Portland Cement, mixed with such aggregates as sand, crushed stone, gravel, clean cinders, processed blast furnace slag and burned clay or shale. These materials shall be mixed in such proportions with the proper water cement ratio and so cured that the finished product shall be suitable to the requirements of the specific uses for which approval is sought.

2.2 Fixing of Batches—Batching of all materials shall be by either volume or by weight.

2.3 Water Cement Ratio—The water cement ratio when once determined for any type of concrete masonry unit shall be maintained throughout the manufacture of that particular unit. Corrections shall be made for the water content of the aggregate and a continuous record of the amount of water added per batch with an estimated allowance for the surface water within the aggregate, shall be kept and made available for inspection during working hours.

2.4 Proportions—The aggregate and the cement shall be proportioned in such a manner that the finished product will meet the quality and strength specifications contained in these rules. The maximum proportions of coarse aggregate, however, shall not exceed fifty percent of the total aggregate as defined herein.

2.5 Quality of Cement (Block) Products—The fin-

ished product shall be within the sizes as listed herein, free from cracks and other defects affecting the use and strength of the units and shall be sound in every respect.

2.5.1 The finished product shall have surface texture, color and size suitable to the requirements of its proposed usage.

3.0 SIZES OF CONCRETE (BLOCK) PRODUCTS.

3.1 Height—The height of hollow or solid concrete (block) products for load bearing walls shall not be more than 8 inches. The height of hollow or solid concrete block products for non-load bearing walls shall not be more than 12 inches.

3.2 Thickness—The thickness or width of hollow or solid concrete (block) products for load bearing walls and partitions shall not be less than 4 inches. For non-load walls and bearing partitions, such thickness shall be not less than 3 inches. Units used in furring shall not be less than 2 inches split, 2 inches or 3 inches hollow.

3.3 Length—The length of hollow or solid concrete (block) products shall be not more than 18 inches, except in non-load bearing partitions such units may be not more than 24 inches in length.

3.4 Tolerance—A tolerance of plus or minus $\frac{1}{4}$ inch shall be permitted on all concrete (block) products, except in the web where the tolerance shall be $\frac{1}{16}$ inch.

3.5 Header Units—Header units for use with brick or stone masonry making a composite wall, shall not exceed three times the facing unit in height, with a maximum length of 18 inches with cutouts arranged to allow 4 inches of masonry bonding of the facing unit.

3.6.0 Fire Resistive Ratings—Concrete (block) products shall consist of area and thickness of webs and shells for specific uses, as follows:

3.6.1 Fire Walls—Concrete (block) products used as fire walls requiring a fire resistive rating of four hours, shall meet the following requirements:

1. Solid structural units 8 inches thick.
2. Solid cinder concrete blocks 8 inches thick.
3. Solid cinder concrete blocks 6 inches thick plastered on both sides.
4. Hollow concrete blocks (one piece) 12 inches thick with webs and shells at least $1\frac{1}{2}$ inches thick and at least 2 cells in wall thickness.
5. Hollow concrete blocks (one piece) 8 inches thick plastered on both sides, shells of which are at least $1\frac{1}{2}$ inches thick.
6. Hollow concrete block 4 inches in thickness when used as a backup with brick at least $3\frac{3}{4}$ inches in width, or limestone or terra cotta with $\frac{1}{2}$ inch of plaster on the concrete block side.
7. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-631.0 (10.4.1.1).

3.6.2. Fire Partitions—Concrete block products for use in fire partitions and shaft enclosures requiring a fire resistive rating of three hours shall meet the following requirements:

1. Solid cinder blocks 6 inches thick.
2. Hollow concrete block, 8 inches thick, provided calcareous, burnt clay or cinder aggregates are used and the shells are at least $1\frac{1}{2}$ inches thick, if unplastered and at least $1\frac{1}{4}$ inches thick if plastered.

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3. Hollow cinder block 6 inches thick with webs and shells at least 1 inch thick, plastered on one side.
4. Hollow cinder block 4 inches thick plastered on both sides.
5. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-633.0 (10.4.2.1).

3.6.3 Stairway Enclosures and Other Places Requiring Fire Resistive Rating of Two Hours—

Concrete block products for these uses shall meet the following specifications:

1. Solid structural units 8" thick.
2. Solid cinder block 4" thick.
3. Solid cinder block 3" thick plastered on both sides.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-635.0 (10.4.2.3).

3.6.4 Fireproof Partitions—

Concrete block for use in fireproof partitions requiring a one-hour fire resistive rating, shall meet the following specifications:

1. Solid concrete block 4" thick.
2. Solid cinder block 3" thick.
3. Hollow concrete block 3" thick plastered on both sides.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating.

3.6.5 Protection of Structural Steel—

Hollow or solid cinder concrete block and tile having a compressive strength of at least 700 p. s. i. of gross area may be used in thickness and ratings as follows:

1½"	1 Hour
2 "	2 Hour
2 "	3 Hour
2½"	4 Hour

See C26-575.0 (10.1.4).

3.6.6 Fire Resistive Rating of Other Materials—

Concrete (block) products of materials other than sand, crushed stone, gravel or cinders, shall be required to furnish test data, in accordance with the requirements of C26-571.0 (10.1.1) for the fire resistive rating sought.

4.0 MANUFACTURE OF CONCRETE BLOCK PRODUCTS—

4.1 Proportioning of Aggregates—

4.1.1 Proportioning of aggregate shall be by weight or volume. When the correct mixture is ascertained, the equipment shall be set in such a manner as to insure the batching of the materials in the correct proportions.

4.1.2 Batching of Cement—Cement shall be batched in bags weighing 94 lbs. When cement in bulk is used, because of its tendency to fluff, it shall be weighed and the batch fixed to correspond with the required amount of fluffed bulk cement.

4.1.3 Consistency—Concrete block units made from dense aggregates on tamp or pressure machines shall be mixed as wet as practicable and still preventing sagging or distortion. Concrete made on vibrating or jolting machines shall be mixed as dry as practicable so as to completely fill the molds and produce a pronounced water web on the surface without slumping or sagging. Where the wet cast method of manufacture is

used, the water content should be reduced to a minimum and the mixture vibrated and spaded so as to eliminate aggregate pockets and to insure filling of the molds.

4.1.3.1 Storage of Materials—Cement and aggregates shall be stored in such manner as to prevent deterioration or intrusion of foreign matter. Any material which has deteriorated or damaged shall not be used in the manufacture of concrete (block) products.

4.1.3.2 Freezing Weather—No concrete (block) products shall be manufactured during freezing weather unless artificial heat is provided so as to permit the manufacture, curing and drying of concrete (block) products of properties as provided in these Rules.

4.2 Mixing Machinery.

4.2.1 The dry mixing of dense aggregates and cement shall be for at least one minute before the addition of water. After the water is added, the mixture shall be mixed for at least four minutes.

4.2.2 After all materials are placed in the mixer, they shall be mixed continuously from 4 to 8 minutes.

4.2.3 The mixing machine shall be of such type and capacity so as to insure thorough mixing. Each mixing machine shall be provided with a device for measuring and controlling the added water. A clock for timing the mix, with a dial not less than 8 inches in diameter with a large sweep second hand, shall be provided and placed in such a position as to be readily readable by the operator of the mixer.

Where practicable the timing of the mixing shall be integrated with the capacity of the molding machine, in which event the manufacture shall certify that the mixer used is of a size that will product properly mixed materials in accordance with the mixing time as provided in Rule 4.2.0.

4.2.4 The block molding machinery shall consist of hand or power operated molding machines with compacting by pressure or tamping by hand or power, or by power vibration so as to produce concrete block products of such densities as required to produce strength and absorption values consistent with the rules and proposed use of the finished product. Precautions shall be taken to ascertain how much tamping or vibrating shall be provided so as to maintain the same density in all concrete (block) products, using the same ratio of fine and coarse aggregates, so as to maintain uniformity.

4.3 Curing of Concrete (Block) Products.

4.3.1 Method of Curing—All concrete (block) products shall be properly cured by either steam curing or by storing in an enclosed space and subjecting to artificial heat and moisture as follows:

4.3.1.1 Steam curing of freshly moulded units shall be accomplished by placing the units to be cured in a steel cylinder, room or tunnel made tight and so designed as to provide moisture above the saturation point at any temperature used. For low pressure steam and temperatures up to 140° F., the curing time shall not be less than 15 hours. For high pressure steam ranging from 120 to 125 p.s.i. and temperatures between 300-400° F. such period shall not be less than 6 hours. All units shall be properly dried prior to usage.

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4.3.1.2 Wet curing of freshly moulded units shall be accomplished by placing such units in reasonably tight rooms or enclosures heated to prevent freezing and equipped with fog nozzles to provide moisture. When the outside temperature drops below 50° F., heat in addition to moisture must be supplied to maintain a temperature of at least 50° F. for not less than 72 hours. After curing, such units shall be stored under cover and allowed to dry for at least 25 days prior to usage.

5.0 PROPERTIES OF CONCRETE (BLOCK) PRODUCTS.

5.1 Concrete (block) products shall have properties as follows:

a. Hollow concrete block or tile when delivered for use shall have a minimum ultimate compressive strength of seven hundred pounds per square inch of gross area tested as laid in the wall.

b. Solid concrete building block when delivered for use shall have a minimum ultimate compressive strength of fifteen hundred pounds per square inch tested as laid in the wall.

c. Such block or tile shall comply with the following requirements for general properties under visual inspection.

1. They shall be sound, of compact structure, reasonably uniform in shape and free from cracks, warpage or foreign substances which would affect their serviceability or strength.

2. If cinders form part or all of the aggregate, the cinders may contain a maximum of thirty-five per cent by weight of unconsumed carbon and a maximum of one and one-half percent by weight of sulphur.

d. When used in partitions, fireproofing and furring which are unexposed to the weather, solid or hollow concrete building block or tile having a minimum ultimate compressive strength of three hundred pounds per square inch of gross area tested as laid in the wall may be used. See C26-309 (7.1.1.4) as amended by local law 120, approved August 1, 1939, and local law Int. No. 220, passed April 25, 1940.

5.2 Test of Concrete (Block) Products.—

5.2.1 Concrete block products shall be tested in accordance with A. S. T. M. specification C140-39, after proper curing and drying except as follows:

5.2.1.1 High and Low Pressure Steam cured and properly dried blocks immediately after drying.

5.2.1.2 Units cured by artificial heat and sprinklered water when dried under cover may be tested and used in not less than 28 days. And when high early strength Portland Cement is used, such time shall not be less than 15 days.

5.2.1.3 Individual minimum compressive strengths of test specimens shall not be less than:

Hollow units 650 p.s.i. gross cross-sectional area

Solid units 1400 p.s.i. gross cross-sectional area

5.2.1.3.1 The speed of the moving head of the testing machine shall not exceed 0.05 inches per minute.

5.3 Absorption of concrete (block) products shall not exceed 15 pounds of water per cubic foot of concrete nor shall the moisture content when delivered exceed 40 percent of the total absorption based on an average of five units as tested.

5.3.1 Concrete (block) products not exposed to the elements or soil or protected by brick veneer or three coat Portland cement stucco at least 1 in. thick or other approved protective coatings

need not be required to meet the absorption tests required under 5.3.

6.0 CONCRETE BRICK.

6.1 Concrete Brick For Use in Masonry Walls.

6.1.1 Concrete brick shall consist of a mixture of Portland Cement sand, gravel, crushed stone or other approved aggregates.

6.1.2 Concrete brick shall be manufactured and cured as provided in Rule 4.0.

6.1.3 The fire resisting rating of concrete brick shall be the same as for ordinary clay brick of similar thickness.

6.1.4 The size of concrete brick shall be as follows:

Depth	2¼"	—	1/16"	Tolerance
Width	3¾"	—	⅛"	"
Length	8"	—	¼"	"

6.1.4.1 Concrete bricks of sizes different from the above may be used when approved by the Board.

6.2 Physical Requirements for Concrete Brick.

6.2.1 Strength of Concrete Brick — Concrete bricks shall have an average compressive strength, when tested flatwise, of 2500 p.s.i. for an average of 5 specimens, with no individual minimum less than 10%. The modulus of rupture, flatwise, for an average of 5 specimens tested shall be not less than 450 p.s.i. with no individual minimum less than 10%.

6.2.2 Absorption of Concrete Brick—Absorption requirements shall be the same as those provided for concrete (block) products in Rule 5.3.

7.0 FILLER BLOCK FOR RIBBED FLOOR CONSTRUCTION.

7.1 Ribbed floor construction shall include floor systems with slabs and ribs placed monolithically between permanent or removable fillers, in which the ribs are spaced thirty inches or less from face to face. The ribs shall be straight, at least four inches in width, and of a maximum clear depth of not to exceed three times the average width. See C26-476.0a (8.5.8).

7.2 When concrete or scored burnt clay tile are used, the thickness of the slab shall be at least one-twelfth of the clear distance between the ribs with a minimum of one and one-half inches. Where such tile are of strength at least equal to that of concrete and the joints are staggered, the shells in contact with the concrete may be included in the resisting sections. In a two-way construction, provided the tile filler is completely surrounded by concrete ribs as specified, the exterior shells of the tile in contact with the concrete may be used for strength calculations for shear and bending and where the top slab is not required for strength such top slab may be omitted provided the construction is protected by at least two inches of incombustible material. See C26-476.0 (8.5.8) b.

7.3 Concrete filler block or tile for use in ribbed floor construction shall consist of a mixture of Portland cement or high early strength Portland cement, sand, gravel, crushed stone or other approved aggregates, manufactured, cured and stored as provided in Rule 4.0.

7.4 For use in ribbed floor construction, such filler tile or block shall have properties as follows:

7.4.1 The average compressive strength over the net area of five such filler units, when manufactured, cured and stored as required in Rule 4.0, shall be at least equal to that of the concrete in the ribs of a specific job on which it is to be used.

7.4.2 The modulus of elasticity of the mix used shall be determined from a test of an average of five tamped and rodded cylinders, 6 inches in

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diameter and 12 inches high, when manufactured, cured and stored under the same conditions as the filler units and as required in Rule 4.0. From the value of modulus of elasticity as obtained in this test and that of the concrete in the rib, a composite modulus shall be derived, in accordance with the theory of flexure as defined in Hooke's Law. The percentage obtained from the ratio of the modulus of elasticity of the composite section to the modulus of elasticity of the concrete in the rib will provide a new "n" value indicative of the resistance of the composite construction of the particular filler block and type of concrete used in the rib.

7.4.3 The materials and method of mixing as used to determine the physical properties of filler block in Rules 7.4.1 and 7.4.3, once fixed, shall be maintained for that job order to assure the delivery of homogeneous units of a type as tested.

8.0 MARKING OF ALL CONCRETE (BLOCK) PRODUCTS.

8.1 Concrete block products used as fillers and in partitions, furring or fireproofing purposes and tested to a compressed strength of 300 p.s.i. over the gross area, shall have a clearly discernible mark distinguishing them from load-bearing units.

8.2 Units used for load bearing walls and tested to a compressive strength of over the gross area of 700 p.s.i. for hollow units and 1500 p.s.i. for solid units, shall be suitably identified as load-bearing hollow, "L.B.H.", or load-bearing solid, "L.B.S.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.3 Units used for filler blocks in ribbed floor construction shall be identified as filler block, "F.B.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.4 The manufacturer's distinguishing mark shall consist of an impression on the unit. Such distinguishing mark shall be filed with the Board and with the Borough Superintendent of Housing and Buildings where such units are to be used. All delivery slips shall be stamped, reading as follows:—Approved by the Board of Standards and Appeals for use in New York City under Cal. No.....

8.5 Contracts for all concrete (block) products shall include a proviso from the manufacturer or his representative stating the material, type, use, compressive strength, water absorption, and, in addition, in the case of filler block, the modulus of elasticity.

9.0 USES OF CONCRETE (BLOCK) PRODUCTS.

9.1. Hollow Units.

9.1.1 Load Bearing Hollow Units.

9.1.1.1 Hollow concrete block or tile, when delivered for use, shall have a minimum ultimate compressive strength of 700 p.s.i. of gross area tested as laid in the wall. C26-309.0 (7.1.1.4)a.

9.1.1.2 The allowable working stresses for concrete block or tile masonry, due to combined live and dead loads, shall be one-tenth of the ultimate compressive strength where cement mortar is used, and one-twelfth where cement lime mortar is used. Concrete block or tile building units for load bearing walls or piers shall be laid in cement or cement lime mortar. C26-358.0 (7.4.2.4).

9.1.2 Masonry foundation walls shall have a thickness at least equal to that of the wall next above, and at least equal to the thickness given in inches in the table below:

	Solid masonry	Hollow masonry	Hollow walls of brick (concrete)
Private dwellings at most twenty feet high and one-story structures at most twenty feet high....	8	12	12
Private dwelling over twenty feet high or other structures of more than one-story and over twenty feet high	12	16	16

Foundation walls of hollow blocks may be used above grade when the upper walls are of wood frame or of hollow building block construction. All other foundation walls shall be of solid masonry, except when the structure is without basement or cellar. C26-397.0 (8.3.1.6).

9.1.3 Thickness.

In structures over two stories high, except private residences, foundation walls shall be at least four inches thicker than the wall section next above, except that when the walls are of hollow units or are hollow walls of brick, the foundation walls may be of the same thickness as the walls next above, provided such foundation walls are built of solid masonry or concrete and that as maximum of two stories above the foundation are of the same thickness. C26-397.0 (8.3.1.6)c.

9.1.4 Walls of Hollow Block or Tile.

9.1.4.1 Walls of hollow block or tile or solid structural units shall have the spaces between the units filled with mortar. The requirements of sections C26-416.0 through C26-421.0 and of section C26-426.0 shall apply to such walls.

9.1.4.2 In all walls of hollow block or tile or solid structural units, built only one unit in thickness, each unit shall break joints with those next above. When more than one unit is required to produce a given wall thickness, the units shall break joints with the units next above and shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers.* In the case of non-bearing interior partitions one story or less in height, constructed of units to be left exposed on one or both sides for architectural effect, these bonding requirements may be waived.

* The bonding specified applies only to combination walls of hollow block, tile or solid structural units and does not apply to faced walls covered by C26-440.0 (8.4.7).

9.1.4.3 Where walls of hollow masonry are decreased in thickness, the units in the top course of the thicker wall shall be filled solidly with concrete or shall be covered with slabs of solid masonry at least one inch in thickness, or solid units shall be used for the top course.

9.1.4.4 Where anchors are used in walls of hollow masonry, such anchors shall be galvanized, or shall be of non-corroding metal of adequate size and substantial construction.

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9.1.4.5 Where hollow units are set with cells horizontal, such units shall be set in a full bed of mortar one-half of an inch or less in thickness, with vertical joints buttered full on shells and webs; where such units are set with cells vertical, the bearing members shall be buttered and vertical joints slushed full of mortar.

9.1.4.6 Wherever girders, beams, joists, or other structural members frame into masonry of hollow block or tile or solid building block, such members shall rest upon such solid incombustible material as will properly distribute the load.

9.1.4.7 The minimum thickness in inches of bearing walls of hollow masonry, except in private dwellings thirty-five feet or less in height, and mixed occupancies as provided in subdivision a of section C26-443.0, shall be:

40	10			
30	10	10		
20	12	10	10	
10	12	12	10	10
Height of wall in ft.	40	30	20	10

9.1.4.8 The maximum height for walls or portions of walls of hollow masonry in any class of structure shall be forty feet above the support of such walls or portions of walls.

9.1.4.9 Walls of hollow masonry may be constructed to the maximum permissible height in top of a solid masonry wall whose maximum height is thirty feet above the first tier of beams. The minimum thickness of such walls shall be based upon the requirements of section C26-427.0, and if such walls are bearing walls, such thicknesses, shall be based on the requirements of subdivision g of this section, and the solid masonry wall below shall be at least of the same thickness as that of the hollow masonry wall. See C26-431.0 a through i (8.4.3.2).

9.1.5 Veneered Walls.

9.1.5.1 Anchorage for veneered masonry walls shall comply with C26-437.0-1-2-3 (8.4.6.1 through 8.4.6.3).

9.1.5.2 Thickness and height of veneered walls shall not be included in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations. See C26-438.0 (8.4.6.2).

9.1.6 Faced Walls.

9.1.6.1 Faced walls shall be of at least the thickness required for masonry walls of the material forming the backing. Facings of brick or solid structural units shall be bonded into the backing with headers, or stretchers at least four inches thicker than the facing, the equivalent of one-sixth of the area of wall. Dressed stone facings shall be bonded to the backing with the equivalent of approximately one-fifth of the superficial area in bond stone at least four inches thicker than the facing, in addition to which, every stone other than bond stone shall be anchored to the backing with at least one non-corroding metal anchor, at least three-sixteenths of an inch by one inch, or the equivalent, in cross-sectional area. In the case of plain coursed ashlar the bond stone shall occur at least as every alternate stone in every third course.

In the case of random ashlar, range work or other jointing schemes where the more frequently spaced smaller units are used for bond stone, the metal anchors may be omitted, provided the superficial area of the bond stone is at least equal to that required for brick facing, one-sixth the area of the wall.

When faced walls are built of different materials, the minimum thickness shall be that required for masonry walls built entirely of the material having the lower compressive strength.

The height of a single course in faced walls shall, in all cases, except for pilaster and spandrel facing stone, be at most ten times the thickness of the facing material.

When facing is used, such facing shall not be figured in the strength of the wall unless such facing is at least four inches in thickness or at least the normal thickness of an average brick.

See C26-440.0 a through e (8.4.7).

9.1.6.2 The total thickness of the wall, except as noted above, shall be used in computing the load carrying capacity of the wall, and the average allowable stress shall be based on the ultimate compressive strength of the weaker material.

9.1.7 Party and Fire Walls.

9.1.7.1 Party walls may be of any type of masonry provided for herein and shall comply with all requirements for bearing walls. Party walls which function also as fire walls shall, in addition, conform to the requirements of section C26-631.0 and of section C26-632.0.

It shall be unlawful to load any party wall on either side to more than fifty percent of its allowable loading. See C26-441.0 (8.4.8.1).

9.1.7.2 Fire walls of masonry shall meet the material, thickness and construction requirements of section C26-631.0 and of section C26-632.0. See C26-442.0 (8.4.8.2) and Rule 3.6.1.

9.1.8 Special Forms of Walls.

9.1.8.1 Bearing Walls for Private Dwellings—Bearing walls for private dwellings shall have a minimum thickness for dwellings thirty-five feet or less in height as follows:

				Hollow Masonry and Hollow Walls of Solid Structural Units		
				Solid Masonry		
3	8	..	..	8	..	..
2	8	8	8	8	8	..
1	8	8	8	10	8	8
Stories	3	2	1	3	2	1

See C26-443.0 (8.4.9.1).

9.1.8.1.1 In such cases, faced walls of 4 inches of brick and 4 inches of hollow block may be used with header courses every 7th course. This shall apply to residence buildings only, which are not in excess of two stories or 20 feet in height.

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9.1.8.1.2 In three-story structures having a maximum width of twenty-five feet, where the first story is used for commercial purposes and the upper stories for residence purposes, the minimum thickness of bearing walls shall be eight inches. See C26-443.0 (8.4.9.1.1).

9.1.8.1.2.1 One-story buildings used for garages, commercial buildings and factories may be constructed of hollow masonry 8 inches thick, when complying with the Building Code and these Rules in all other respects.

9.1.9 Parapet Walls.

Parapet walls may be constructed of hollow masonry, in accordance with C26-440.0 (8.4.9.2).

9.1.10 Non-Bearing Masonry Walls.

The minimum thickness of non-bearing masonry walls, except as provided in sections C26-428.0 and C26-446.0, may be four inches less than the thickness required for bearing walls, except that any such wall shall be at least eight inches thick. See C26-445.0 (8.4.9.3).

9.1.11 Panel Apron and Spandrel Walls.

Panel, apron and spandrel walls of masonry in skeleton frame structures shall be at least eight inches thick if such walls are constructed of solid masonry, or at least twelve inches thick if such walls are constructed of hollow masonry or at least ten inches thick, if such walls are constructed of combinations of hollow and solid masonry, except that spandrel and apron walls may be eight inches thick or may be of materials, or of assemblies or materials, other than masonry, meeting the requirements of article eleven of the Building Code. Combinations of hollow and solid masonry shall be constructed with at least four inches of solid masonry on the exterior face. The maximum height between supports of such walls when constructed of these minimum thicknesses shall be thirteen feet. When such walls exceed thirteen feet in height, they shall be increased two inches in thickness for each six and one-half feet or fraction thereof that the height is increased.

Panel walls shall be bonded or otherwise so secured to the structure as to furnish adequate lateral support to the wall. See C26-446.0 (8.4.9.4).

9.1.12 Enclosure Walls.

Enclosure walls shall meet all the requirements of height, thickness and type of construction prescribed for bearing walls. See C26-447.0 (8.4.9.5).

9.1.13 Masonry Curtain Walls.

Curtain walls of solid masonry shall be at least eight inches thick for the uppermost thirteen feet and at least twelve inches thick for the next fifty-two feet or fraction thereof below and shall be increased four inches in thickness for each succeeding sixty feet or fraction thereof below.

When masonry curtain walls are built of masonry other than solid masonry, such walls shall be at least ten inches thick for the first thirteen feet, twelve inches thick for the next lower thirty-nine feet and shall be increased in thickness four inches for each thirty-nine feet or fraction thereof next below, provided that the maximum horizontal distance between lateral

supports shall be twenty feet. When the distance between the lateral supports exceeds twenty feet, the thicknesses of all walls specified in this section shall be increased four inches for each additional ten feet or fraction thereof between lateral supports. Curtain walls of hollow masonry twelve inches or more in thickness shall be made of at least two bonded units. See C26-448.0 (8.4.9.6).

9.2 Uses of Concrete Block Products including Concrete Brick.

9.2.1 Solid building block when delivered for use shall have a minimum ultimate compressive strength of 1500 p.s.i. tested as laid in the wall. C26-309.0 b (7.1.1.4).

9.2.2 The allowable working stresses for solid units of concrete (block) products shall be in accordance with the requirements in Rule 9.1.1.2 and C26-358.0 (7.4.2.4) and for concrete brick the allowable working stresses shall be as provided for in C26-356.0 a, (7.4.2.2).

9.2.3 Solid units may be used wherever hollow units are permitted under Rule 9.1 when used under the same conditions. In addition to such uses, solid units shall be used as follows:

9.2.3.1 Solid Units in Masonry Foundation Wall.

Solid concrete (block) products for use in masonry foundation walls shall be in accordance with the requirements of Rule 9.2.1-2.

9.2.3.2 Masonry piers shall be built of solid masonry and, except as provided in section C26-314.0, shall be laid in cement mortar or cement-lime mortar, and the maximum unsupported height shall be ten times the least dimension. Sections of panel walls in skeleton construction shall not be considered as piers.

It shall be unlawful to have openings or chases within the required area of any pier. Masonry piers shall be bonded in accordance with the requirements of C26-424.0 except that when concrete (block) products are used, they shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers. See C26-431 b2. See also C26-415.0a.

9.2.3.3 Solid Masonry Walls.

9.2.3.3.1 Bonding of Wall Intersections.

When two bearing walls meet or intersect and the courses are carried up together, the intersection shall be bonded by laying in a true bond at least fifty percent of the units at the intersection.

When the courses of meeting or intersecting bearing walls are carried up separately, the perpendicular joint shall be regularly toothed or blocked with eight-inch maximum offsets, and the joints shall be provided with metal anchors having a minimum section of one-quarter of an inch by one and one-half inches, with ends bent up at least two inches, or with cross pins to form anchorage. Such anchors shall be at least two feet long and the maximum spacing shall be four feet.

Meeting or intersecting non-bearing walls shall be bonded or anchored to each other in an approved manner. See C26-426.0 (8.4.2.4).

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9.2.3.3.2 Thickness of Solid Bearing Walls.

The thickness in inches of solid masonry bearing walls for the respective story heights, with the exception of private dwellings thirty-five feet or less in height and mixed occupancies provided for in section C26-443.0, shall be at least:

8	.....	12							
7	.....	12	12						
6	.....	12	12	12					
5	.....	12	12	12	12				
4	.....	16	12	12	12	12			
3	.....	16	16	12	12	12	8		
2	.....	16	16	16	12	12	12	8	
1	.....	20	16	16	16	12	12	12	8
Stories..	8	7	6	5	4	3	2	1	

For the purpose of calculating wall thicknesses, thirteen feet shall be assumed to be the maximum height of a story.

Regardless of the requirements of this section, it shall be unnecessary for the thickness of solid masonry bearing walls for structures of at most seventy-five feet in height to exceed twelve inches for the uppermost fifty-five feet* of height and sixteen inches for wall below the required twelve-inch wall. Where, under the foregoing provision, a change in required thickness of wall occurs between two floors, thickness required at that tier of beams nearest the elevation of the required change shall govern.

* Note:—The Board under Calendar 308-38-A interpreted the Building Code requirement as follows:

"WHEREAS, it has been brought to the board's attention that there is a conflict of opinion as to the intent of section C26-427.0 of the administrative code (8.4.2.5).

Resolved, that section C26-427.0 of the administrative code (8.4.2.5) shall be taken to mean as follows, as to figuring the uppermost 55 feet of bearing wall and the point where a change of thickness is required: height of wall and height of story are defined in C26-82.0 (1.74). Subject to this definition as to parapet, the top of the wall shall be taken as the top surface of the highest point of the beams directly supporting the roof boarding. When the base of the 55 foot wall occurs between floors, this shall be taken to mean within the story as defined in C26-145.0 (1.138). If the base of such wall occurs at a point below the middle point in the height of a story, the change of wall thickness may be made at the next lower tier of beams. If the base of such wall occurs above the middle point in the height of a story, the thicker wall shall be carried up to the next higher tier of beams. For calculation of wall thickness, the code provides that 13 feet shall be assumed as the maximum height of a story."

When the clear span between bearing walls or between a bearing wall and an intermediate support is more than twenty-six feet, the thickness of such walls shall be increased four inches in thickness for each twelve and one-half feet or fraction thereof that such span is in excess of twenty-six feet, except where such bearing walls are adequately reinforced by buttresses. See C26-427.0 (8.4.2.5).

9.2.3.3.3 Thickness of Interior Walls in Residence Structures.

The thickness in inches of interior bearing walls with bearing on both sides

in residence structures for the respective story height shall be at least:

6	.....	8							
5	.....	8	8						
4	.....	8	8	8					
3	.....	8	8	8	8				
2	.....	12	8	8	8	8			
1	.....	12	12	8	8	8	8		
Stories ...	6	5	4	3	2	1			

Where interior walls in residence structures have bearing on one side only or are non-bearing, the required thickness in inches shall be eight inches for the uppermost fifty-five feet of wall height and twelve inches below the fifty-five feet foot distance from top of such walls.

Where wood floor and roof beams bear on both sides, such beams shall be staggered on the bearing wall and there shall be at least four inches of masonry between any two such wood beams.

The maximum length of such bearing and non-bearing walls between cross-walls, cross-bracing, piers or buttresses shall be thirty feet. See C26-428.0 (8.4.2.6).

9.2.3.3.4 Solid Masonry Walls Above Roof Levels.

Solid masonry walls above roof levels, twelve feet or less in height, enclosing stairways, elevator shafts, penthouses, or bulkheads shall be at least eight inches thick and may be considered as neither increasing the height nor requiring any increase in the thickness of the wall below, provided the allowable working stress requirements are met. See C26-429.0 (8.4.2.7).

9.2.4 Special Forms of Masonry.

9.2.4.1 Increasing height of walls.—If it is desired to increase the height of any wall, erected before January first, nineteen hundred thirty-eight, which is thinner than required by the Code, such wall shall be reinforced by a lining of solid masonry so that the combined thickness shall be at least four inches more than is required for a new wall corresponding with the total height of the wall when increased in height; provided that it shall be unlawful to use such lining to a greater height than forty feet or to increase the height of such wall to exceed seventy-five feet. Such lining shall be supported on proper foundations and shall be at least eight inches in thickness and so anchored to the old wall as to make the reconstructed wall act as a unit. Where any lining is to be built against an old wall, such wall shall be first cleaned of plaster or other coatings. Walls to be lined shall be in good condition and the approval of the superintendent shall be necessary before the work begins. See C26-454.0 (8.4.9.12).

9.2.4.2 Height of Unsupported Walls.—The maximum unsupported height of any masonry wall during the period of construction shall be two stories or twenty-six feet, unless satisfactory support is provided and specific approval of the superintendent obtained, except when walls are carried separately by structural members on each story. See C26-445.0 (8.4.9.13).

PUBLIC HEARING

9.2.4.3 Stairway, Elevator and Similar Enclosures.

Enclosing walls of interior shafts, if non-bearing, shall meet the requirements for non-bearing walls, and if such walls are bearing, they shall meet the requirements for bearing walls, except as provided in section C26-428.0, and where such enclosing walls are supported at each story on structural members.

Where the enclosures are supported by structural members at each story, such enclosures shall meet the requirements of sections C26-638.0 through C26-647.0 and of sections C26-660.0 through C26-665.0. See section C26-456.0 (8.4.9.14).

9.3 Filler Block for Ribbed Floor Construction.

9.3.1 Filler blocks of concrete (block) products used merely as fillers in ribbed floor construction, shall consist of any approved concrete (filler block) product with no structural properties of resisting shear and bonding attributed to it in the computations.

9.3.2 Filler blocks of concrete (block) products used in resisting shear and moment, as provided in C26-476.0 (8.5.8) and having properties as provided in Rule 7.0, may be used in one and two-way ribbed floor construction. When so used, the analysis and application of the equivalent resisting section shall be as follows:

9.3.2.1 Equivalent resisting reinforced composite section to resist positive moment shall be the beam formed by the concrete rib and

the slab plus the shell and top of flange of the concrete (block) product.

9.3.2.2 Equivalent resisting reinforced composite section to resist negative moment shall be the beam formed by the concrete rib and the vertical shell of the block plus the horizontal flange of the filler block. The total width of the T flange thus formed shall not exceed twice the combined thickness of the concrete rib plus the shells in contact with the rib.

9.3.2.3 The equivalent resisting reinforced composite section to resist shear, with or without the top slab, shall be the rectangular beam formed by the concrete rib and vertical shell of the filler block.

9.3.2.4 The equivalent resisting reinforced composite section to resist either positive or negative moment, where the top slab is omitted, shall be the rectangular beam formed by the concrete rib and the vertical shell block plus the horizontal flanges of the filler block. The total width of the T flange thus formed shall not exceed twice the combined thickness of the concrete rib plus the shells in contact with it.

9.3.2.5 Based on the equivalent resisting sections defined above, when joints are staggered, the allowable unit stresses for negative moment and shear shall be reduced 25%.

9.3.2.6 The contribution of filler blocks to a ribbed floor construction shall be in accordance with C26-468.0 (8.5.1) through C26-493.0.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

PUBLIC HEARING

PROPOSED RULES FOR THE TESTING AND USE OF BLENDED CEMENTS.

(584-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 19, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for the Testing and Use of Blended Cements.

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph c, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1. The purpose of these rules is to provide a basis wherein approved cements other than Portland Cements and consisting mainly of blended materials may be used wherever under the Administrative Building Code the use of Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, or processed admixtures which may be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plaster-cizing, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to the steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tongs and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test, A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test described in A.S.T.M. Specification C77-36, and the mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours, as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements.

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall be not less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq. in.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq. in.

*When tested in accordance with Fed. Spec. SS-C-158.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be equal to or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength, Lbs. Sq. In.
3 days	1 day in moist air, 2 days in water	175
7 days	1 day in moist air, 6 days in water	275
28 days	1 day in moist air, 27 days in water	350

The average tensile strength of the mortar at 7 and 28 days shall be higher than that at 3 and 7 days, respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration, application shall be made to the board for additional tests to develop these properties.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3-1/3), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for

civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3. Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems	\$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18. Refrigerating Systems

C19- 96.0.	Permits.
C26-214.0.	Supervision.
C19- 97.0.	Classification.
C19- 98.0.	Permissible locations.
C19- 99.0.	Refrigerating machinery rooms and ventilation.
C19-100.0.	Open flames and electrical equipment.
C19-101.0.	Testing.
C19-102.0.	Piping.
C19-103.0.	Safety devices.
C19-104.0.	Size of safety devices.
C19-105.0.	Location and discharge of safety devices.
C19-106.0.	Operating precautions.
C19-107.0.	Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11") CFC13 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11; F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for renewal thereof the sum of \$1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

RULES

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;

2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;

5. A school unless the refrigerating system is used exclusively for instructions or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height,

and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refriger- ant in System.	Mechan- ical Cu. Ft. per Minute Discharge.	Window Area Mechan- ical Sq. Ft. Duct Area.	in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

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600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-flammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (1/4") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a 3/4-inch pipe; five heads on a 1-inch pipe; six heads on a 1 1/4-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1 High Pressure Side.	Col. 2 Low Pressure Side	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

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emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1-1/2"	1-1/2"
30 to 60 tons.....	1-1/2"	1-3/4"
60 to 100 tons.....	1-1/2"	1-1"
100 to 175 tons.....	1-1/2"	1-1 1/4"
175 to 250 tons.....	1-3/4"	1-1 1/2"
250 to 450 tons.....	1-1"	1-2"
450 to 900 tons.....	.....	2-2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

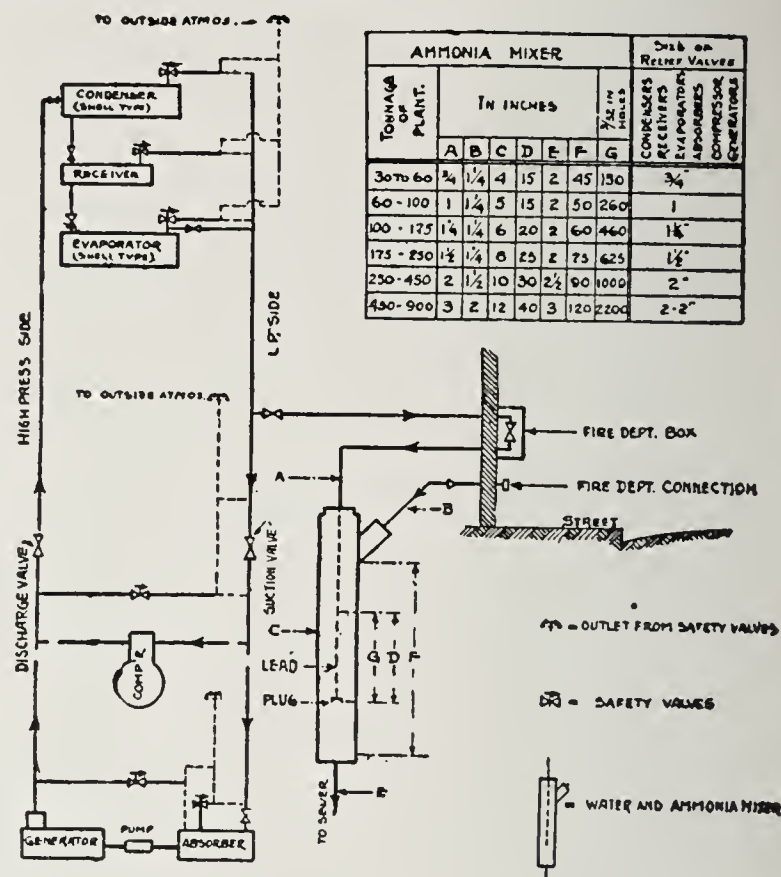
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

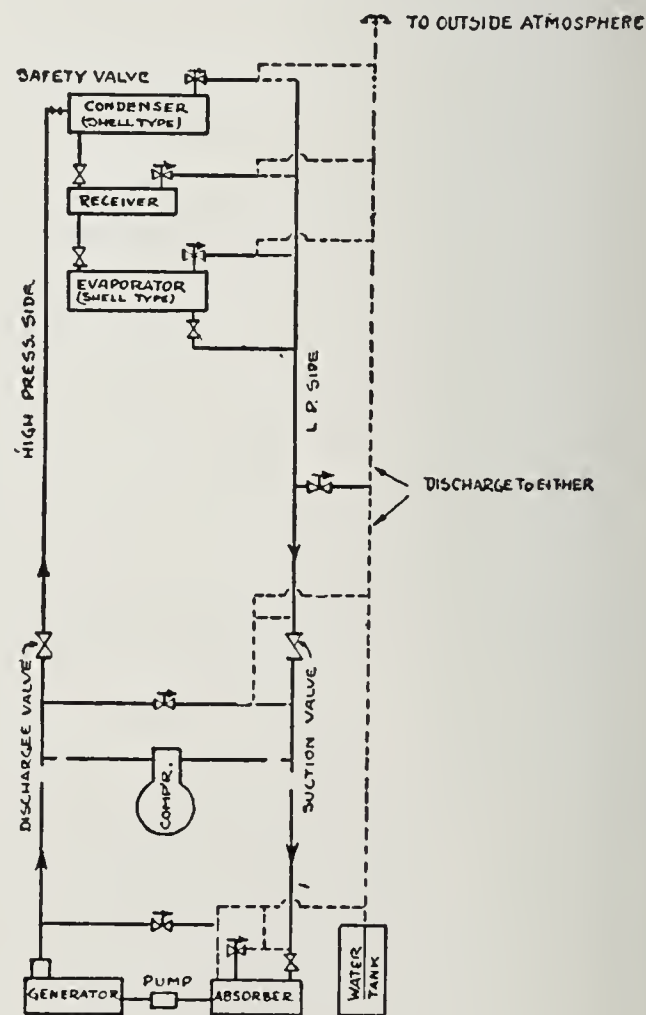
A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION C19-107.0

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system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant re-

frigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.

Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to June 18, 1940.

Cal. No. Department. Premises Affected.

631-40-BZ....H.B.M....333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758, Lot No. 16), Borough of Manhattan, Drop Curb Applic. 87-40.

632-40-BZ....H.B.M....9 Lexington avenue, east side, 74 ft. south of East 22nd street (Block No. 877, Lot No. 67), Borough of Manhattan, Decision—re Certificate of Occupancy.

633-40-BZ....H.B.Q.....195-05 Linden boulevard, northeast corner of 195th street (Block No. 11067, Lot Nos. 40 and 42), St. Albans, Borough of Queens, N.B. 562-40.

634-40-A.....F.D.....182-202 Huntington street, south side, 105 ft. east of Court street, 185-197 West Ninth street and 495-505 Court street (Block No. 476, Lot No. 6), Borough of Brooklyn, 83518-L.C. and Decision.

635-40-A.....F.D.....261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan, Decision—re 19787-L.C.

636-40-A.....F.D.....79 Rutgers Slip, east side, 80 ft. south of Cherry street (also known as 260 South street); (Block No. 247, Lot No. 1), Borough of Manhattan, 20814-L.C. and Decision

637-40-S.....H.B.M....154 East 23rd street, south side, 150 ft. west of Third avenue (Block No. 878, Lot No. 48), Borough of Manhattan, Viol. 4542-39 and Decision.

638-40-BZ....H.B.Q.....79-01 Broadway and 41-50 80th street, northwest corner (Block No. 1499, part of Lot No. 1), Elmhurst, Borough of Queens, Misc. Applic. 5002-40.

639-40-SR.....Proposed Rules for Manufacture, Test and Use of Concrete Masonry Units, Rules.

640-40-SM.....Flintkote Spandrel Waterproofing

Cloth (Standard Grade and Copper Coated), manufactured by The Flintkote Company, Material.

641-40-SM.....Flintkote Saturated Membrane (Waterproofing Fabric), manufactured by The Flintkote Company, Material.

642-40-SM.....Flintkote Trowel Mastic and Flintkote Semi-Mastic (Brush Application Waterproofing), manufactured by The Flintkote Company, Material.

643-40-A.....F.D.....163-24 and 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 (1167), Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens, 4538-L.F. and Decision.

644-40-S.....F.D.....40-09 21st street, east side, 58 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens, 2245-L.F. and Decision.

645-40-A.....F.D.....114-02 Triton avenue (Boardwalk), north side, between Beach 114th street and Beach 115th street (Block No. 659, Lot Nos. 30, 32, 34, 47 and 40), Rockaway Beach, Borough of Queens, 4852-L.F.

646-40-SM.....U.S. Rock Wool and U.S. Stud-Pak (Mineral Wool Insulation), manufactured by United States Mineral Wool Company, Material.

647-40-BZ....H.B.M....3321-3329 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 to 33, inclusive), Borough of Manhattan, Decision—re Certificate of Occupancy.

648-40-A.....F.D.....10-16 Grand avenue, west side, 30 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn, 4850-L.F.

649-40-BZ....H.B.M....45-47 West 38th street, north side, 270 ft. east of Sixth avenue

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(Block No. 840, Lot No. 16),
Borough of Manhattan,
Amendment to Alt. 481-40.

650-40-SM.....K & M Century Asbestos Cement
Shingles, manufactured by
Keasbey and Mattison Com-
pany, Material.

651-40-A.....H.B.Q.....58-54 and 58-58 187th street,
southwest corner of 58th ave-
nue and west side of 187th
street, 50 ft. south of 58th
avenue (Block No. 5690, Lot
No. 1), Flushing, Borough of
Queens,

N.B. 3521-40 and
N.B. 3522-40.

652-40-A.....H.B.Q.....58-53 and 58-57 187th street,
southeast corner of 58th ave-
nue and east side of 187th
street, 50 ft. south of 58th
avenue (Block No. 5691, Lot
No. 1), Flushing, Borough of
Queens,

N.B. 3523-40 and
N.B. 3524-40.

653-40-A.....F.D.....103-17 Metropolitan avenue, north
side, 160 ft. west of Roman
avenue (Block No. 2050, Lot
No. 45), Forest Hills, Bor-
ough of Queens,
4293-L.F. and Decision.

654-40-A.....H.B.B.....1017 Avenue "K", north side, 52
ft. west of Coney Island ave-
nue (Block No. 6531, Lot No.
46), Borough of Brooklyn,
Alt. 2246-40.

655-40-A.....H.B.M.....1-9 West Third street, northeast
corner of Mercer street (Block
No. 535, part of Lot No. 43),
Borough of Manhattan,
Alt. 1469-40.

656-40-A.....H.B.B.....38-42 Second avenue, west side,
6th street Basin, Gowanus
Canal (Block No. 990, Lot
No. 1), Borough of Brooklyn,
Amendment to N.B. 10075-37.

657-40-SM.....Triangle Three Hour Hollow
Metal Fire Door, manufac-
tured by Triangle Steel Prod-
ucts Corporation, Material.

658-40-A.....H.B.Q.....71-58 Austin street, south side,
530.05 ft. east of 71st (Con-

tinental) avenue (Block No.
3255, Lot No. 33), Forest
Hills, Borough of Queens
(under section 35, General
City Law—re Bed of Mapped
Streets),

Decision—re Alt. 2336-37.

659-40-SM.....Anco Lock Nuts, manufactured
by Automatic Nut Company,
Material.

Restored to Calendar.

164-37-BZ....H.B.B.....9716-9718 Church avenue, south
side, 72 ft. 6½ in. west of East
98th street (Block No. 4718,
Lot Nos. 41 and 42), Bor-
ough of Brooklys,
Applic. 3264-37.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Jan. 16, 1940—Vol. 25, No. 3
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 23
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Feb. 27, 1940—Vol. 25, No. 9
Fire Alarm Rules (Interior)	Sept. 12, 1939—Vol. 24, No. 37
Fire Drill Rules	May 21, 1940—Vol. 25, No. 21
Fire-resistant, Flameproof Materials, etc., Rules for Testing of	May 14, 1940—Vol. 25, No. 20
Fire Retarding Rules for Garages, etc.	June 11, 1940—Vol. 25, No. 24
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Mar. 5, 1940—Vol. 25, No. 10
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 12, 1940—Vol. 25, No. 11
Oil Burner Rules	June 18, 1940—Vol. 25, No. 25
Opening Protective Assemblies, Rules for Inspection of	Dec. 5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spray- ing Rules	May 28, 1940—Vol. 25, No. 22
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply)	May 28, 1940—Vol. 25, No. 22
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	June 11, 1940—Vol. 25, No. 24
Smoking in Factories, Rules for	June 18, 1940—Vol. 25, No. 25
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use	Aug. 29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals	Mar. 5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use	Aug. 8, 1939—Vol. 24, No. 32
Fuel Oil Pumps	June 18, 1940—Vol. 25, No. 25
Gas Heaters	Aug. 29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spray- ing Equipment	Nov. 14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters	Aug. 29, 1939—Vol. 24, No. 35
Vacuum Breakers	May 28, 1940—Vol. 25, No. 22

CALENDAR

JUNE 18, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 18, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

- CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.
- CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.
- CAL. NO. 347-40-BZ—Application, April 5, 1940, under sections 7g and 21 of the building zone resolution, of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.
- CAL. NO. 299-40-BZ—Application, March 25, 1940, under sections 7h and 21 of the building zone resolution, of C. J. Johnson, applicant, on behalf of Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.
- CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.
- CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.
- CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.
- CAL. NO. 488-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of The Centrum Corporation, owner, to permit in a business use district and two and one-half times height district the extension in height of an existing office building, the said extension in height not conforming with the height restrictions of the building zone resolution; premises 62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan.
- CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.
- CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only;

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premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution, of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 18, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

445-40-A—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

576-40-A—22-26 Howard street, north side, 25 ft. east of Crosby street, and 5-7 Crosby street (second and third stories); (Block No. 233, Lot No. 30), Borough of Manhattan.

595-40-A—1602 Surf avenue, southwest corner of West 16th street (Block No. 7073, Lot Nos. 1 and 14), Borough of Brooklyn.

603-40-A—269 Avenue "C", west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

559-40-A—5110-5116 Fifth avenue, west side, 63.58 ft. south of 51st street (Block No. 799, Lot Nos. 29½ and 41½), Borough of Brooklyn.

598-40-A—53-67 Forrest street, 52-66 Montieth street and 36-54 Evergreen avenue (Block No. 3142, Lot No. 1), Borough of Brooklyn.

606-40-A—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

612-40-A—5315 13th avenue, east side, 60 ft. 2½ in. north of 54th street (Block No. 5670, Lot No. 4), Borough of Brooklyn.

616-40-A—55 Fifth avenue, northeast corner of East 12th street (Block No. 570, Lot No. 1), Borough of Manhattan.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

588-40-A—163 Bradford street, east side, 100 ft. north of Liberty avenue (Block No. 3691, Lot No. 1), Borough of Brooklyn.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

624-40-A—90-36 198th street, west side, 300 ft. south of 90th avenue (Block No. 10466, Lot No. 56), Hollis, Borough of Queens.

625-40-A—46-30 and 46-36 195th street, west side, 280 ft. and 320 ft. south of 46th avenue (Block No. 5550, Lot No. 23), Bayside, Borough of Queens.

626-40-A—46-27, 46-31 and 46-35 196th street, east side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, Lot No. 1), Bayside, Borough of Queens.

627-40-A—46-28, 46-32 and 46-36 196th street, west side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, part of Lot No. 1), Bayside, Borough of Queens.

628-40-A—46-29 and 46-33 196th street, east side, 263 ft. and 307 ft. south of 46th avenue (Block No. 5552, part of Lot No. 1), Bayside, Borough of Queens.

629-40-A—46-28, 46-32 and 46-36 196th place, west side, 252.72 ft., 292.72 ft. and 332.72 ft. south of 46th avenue (Block No. 5552, Lot No. 1), Bayside, Borough of Queens.

630-40-A—46-27, 46-31 and 46-35 196th place, east side, 250.77 ft., 292.77 ft. and 334.72 ft. south of

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46th avenue (Block No. 5553, Lot No. 1),
Bayside, Borough of Queens.

Variations of the Labor Law.

463-40-S—312-314 Atlantic avenue, south side, 200 ft. east
of Smith street (Block No. 182, Lot No.
10), Borough of Brooklyn.

600-40-S—145-151 East 32nd street, north side, 95 ft. 6 in.
east of Lexington avenue (Block No. 888,
Lot Nos. 27 to 30, inclusive), Borough of
Manhattan.

JUNE 25, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, June 25,*
1940, at 10 o'clock, in Room 1013, Municipal Building, Man-
hattan, on the following matters:

CAL. NO. 410-31-BZ—Application of Rudolph B. Weiss, ap-
plicant, on behalf of Lakeville Road
Service Station, Incorporated, owner,
reopened May 28, 1940—re considera-
tion as to extension of permit and ex-
tension of time to complete work—re
Application, previously granted on con-
dition, under section 7f of the building
zone resolution, permitting, partly in a
business use district and partly in a
residence use district, the alteration and
maintenance of a gasoline service sta-
tion for a temporary period; premises
175-14 Horace Harding boulevard,
south side, 117.71 ft. west of Utopia
parkway and 83.78 ft. east of 175th
street (Block No. 2661, Lot No. 26),
Flushing, Borough of Queens.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under sec-
tion 21 of the building zone resolution,
of Warden H. Fenton, applicant, Di-
rector, Bureau of Architecture, Depart-
ment of Public Works, on behalf of
City of New York, owner, to permit in
a residence use district and, also, "E"
area district, the erection and mainte-
nance of a building (Fire House) not
complying with "E" area requirements;
premises 1684 Eastern boulevard, south
side, 50 ft. east of Fteley avenue (Block
No. 3660, Lot Nos. 54 and 65), Bor-
ough of The Bronx.

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, appli-
cant, on behalf of Garbo Garage Cor-
poration, owner, reopened April 16,
1940, under section 21 of the building
zone resolution, to permit in a business
use district the alteration of a garage
for more than five (5) motor vehicles
(previously granted by the Board) so
as to include an alcove gasoline service
station; premises 112-126 East 98th
street, west side, 250 ft. north of Win-
throp street (Block No. 4616, Lot No.
25), Borough of Brooklyn.

CAL. NO. 272-26-BZ—Application of Lama and Proskauer,
applicants, on behalf of Maned Realty
Company, Incorporated, owner (Harry
Roisman, lessee), reopened April 30,
1940, for rehearing on a new proposal,
under sections 7h and 21 of the building
zone resolution, to permit in a business
use district, for a temporary period of
not more than two (2) years, the park-
ing and storage of more than five (5)
motor vehicles (previously denied—re
erection of a gasoline service station);
premises 555-563 Atlantic avenue, north
side, 97 ft. 10 in. west of Fourth ave-
nue (Block No. 180, Lot No. 40),
Borough of Brooklyn.

CAL. NO. 368-40-BZ—Application, April 8, 1940, under sec-
tions 7c and 21 of the building zone
resolution, of Paul Friedman, applicant,
on behalf of Plaza-Circle Corporation,
owner (Edward Nolan d/b/ as Plaza
View Garage, lessee), to permit, partly
in a residence use district and partly
in a business use district, the alteration
and conversion of occupancy of part of
an existing building from garage for
more than five (5) motor vehicles to
store use, and from carriage house and
stable for more than five (5) horses to
garage for more than five (5) motor
vehicles; premises 2-14 Plaza street and
405-413 Flatbush avenue, northeast
corner (Block No. 1169, Lot No. 1),
Borough of Brooklyn.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sec-
tions 7g and 21 of the building zone
resolution and section 60 of the mul-
tiple dwelling law, of Goule de Neer-
gaard, applicant, on behalf of Spuyten
Duyvil Tower, Incorporated, owner, to
permit, partly in a business use district
and partly in a residence use district,
the erection and maintenance of a mul-
tiple dwelling having a garage for
more than five (5) motor vehicles in
the cellar story; garage space is for
the use of tenants only; premises west
side of Kappock street, 475 ft. north of
Johnson avenue (Block No. 3407, Lot
Nos. 128 and 84), Borough of The
Bronx.

CAL. NO. 349-40-BZ—Application, April 5, 1940, under sec-
tions 7h and 21 of the building zone
resolution, of Jacob J. Schwebel, appli-
cant, on behalf of New York, New
Haven and Hartford Railroad Com-
pany, owner (Cousins Realty Corpora-
tion, lessee), to permit, partly in a
business use district and partly in a
residence use district, for a temporary
period of not more than two (2) years,
the parking and storage of more than
five (5) motor vehicles; premises 606
Baker avenue, south side, 75 ft. east of
Garfield street, west side of White
Plains road and east side of Garfield
street (Block No. 4025, Lot No. 27),
Borough of The Bronx.

CAL. NO. 327-40-BZ—Application, April 1, 1940, under sec-

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tion 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Oxford Development Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10, and part of Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 336-40-BZ—Application, April 3, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 25, 1940, 2 P. M.

Appeals from Administrative Decisions.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

550-40-A—786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn.

615-40-A—2035 Flatbush avenue, northeast corner of Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn.

570-40-A-WF—109-23 World's Fair (Horace Harding) boulevard, northwest corner of Waldron street (Block No. 1969, Lot Nos. 7-9 and 11), Corona, Borough of Queens.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

858-39-A—850 Richmond terrace, south side, from Tysen street to Kissel avenue (Block No. 76, Lot No. 1), Livingston, Borough of Richmond.

226-40-A—95-14 106th street, west side, 175 ft. south of 95th avenue (Block No. 9287, Lot No. 15), Ozone Park, Borough of Queens.

438-40-A—1009 Winthrop street, south side, 75 ft. west of 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.

634-40-A—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street, south side, 105 ft. east of Court street (Block No. 476, Lot No. 6), Borough of Brooklyn.

577-40-A—721-723 Seventh avenue and 169 West 48th street, northeast corner (Block No. 1001, Lot No. 1), Borough of Manhattan.

621-40-A—17 East 65th street, north side, 89 ft. west of Madison avenue (Block No. 1380, Lot No. 13), Borough of Manhattan.

655-40-A—1-9 West 3rd street, northeast corner of Mercer street (Block No. 535, part of Lot No. 43), Borough of Manhattan.

654-40-A—1017 Avenue "K", north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.

656-40-A—38-42 Second avenue, west side, 6th street Basin, Gowanus Canal (Block No. 990, Lot No. 1), Borough of Brooklyn.

660-40-A—678 East 232nd street, south side, 180.20 ft. west of White Plains avenue (Block No. 4834, Lot No. 82), Borough of The Bronx.

593-40-A—South side of Cherry avenue, 92 ft. east of Kissena boulevard (Block No. 5192, driveway part of Lot No. 34 and inside part of Lot No. 27), Flushing, Borough of Queens.

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195-40-A—1741 Victory boulevard, northwest corner of Winthrop place (Block No. 350, Lot No. 1), West Brighton, Borough of Richmond.

Variations of the Labor Law.

205-40-S—149 West 27th street, north side, 205.4 ft. east of Seventh avenue (Block No. 803, Lot No. 11), Borough of Manhattan.

674-40-S—333-337 Sixth avenue and 2-8 Cornelia street, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 25, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 235-37-BZ—Application of 3331 Fish Avenue Corporation, applicant and owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

CAL. NO. 289-34-BZ—Application of Wrenn and Schmid, applicants, on behalf of Edith J. Potter, owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7a of the building zone resolution, permitting in a residence use district the extension in area of an existing garage and automobile repair shop for a temporary period; premises 308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 2, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 4, 1940, under new facts—reapportionment of lot, to permit in a business use district the ex-

tension of an existing gasoline service station (previously denied—re partly in a residence and partly in a business use district); premises 139-25 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

CAL. NO. 384-40-BZ—Application, April 12, 1940, under section 7h of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan.

CAL. NO. 763-38-BZ—Application of Herman Kron, applicant, on behalf of New York Telephone Company, owner (Jacob Goldstein, lessee), reopened October 17, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 728-732-744 Second avenue, east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

CAL. NO. 163-40-BZ—Application, February 9, 1940, under sections 7h and 21 of the building zone resolution, of Louis R. Patur, applicant, on behalf of Beck-Brown Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn.

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the main-

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tenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law, re building fronting on a proposed private street).

333-40-A—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (under Section 35, General City Law—re Bed of Mapped Street).

JULY 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 25-34-BZ—Application of Nicholas Drogaris, applicant, on behalf of Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee), reopened May 28, 1940, under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret of a building previously extended and granted by the Board, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and sale of soda, ice cream, cigars, cigarettes and tobacco; premises 1188-1196 Ocean parkway and 515-529 Avenue "L", northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

CAL. NO. 407-40-BZ—Application, April 15, 1940, under sections 7a, 7c and 21 of the building zone resolution, of King and Lynch, applicants, on behalf of The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

CAL. NO. 379-40-BZ—Application, April 12, 1940, under section 21 of the building zone resolution, of A. Robert Chananie, applicant, on behalf of Frieda Messinger, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 227-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in

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a residence use district the erection and maintenance of three (3) buildings to be used as hog pens; buildings to be used in conjunction with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 228-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a barracks used in connection with a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 229-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a slaughter house used in connection with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a business use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeal from Administrative Decision.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 9, 1940, 2 P. M.

Appeal from Administrative Decision.

658-40-A—71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

JULY 12, 1940, 10 A. M.

Rules.

639-40-SR—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

JULY 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

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CAL. NO. 417-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of Victor Greiff, applicant, on behalf of Helen Greiff and Lotti J. Greiff, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a one-car garage, accessory to the dwelling on the premises; said garage does not conform with the "G" area requirements of the building zone resolution; premises 159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Rockaway Beach (Neponsit), Borough of Queens.

CAL. NO. 485-40-BZ—Application, May 7, 1940, under section 7b of the building zone resolution, of Emanuel M. Glick, applicant, on behalf of Methill Realty Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

CAL. NO. 421-40-BZ—Application, April 24, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of W. Goadby Loew and United States Trust Company of New York, trustee of Estate of Charles F. Rowe, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

CAL. NO. 415-40-BZ—Application, April 22, 1940, under sections 7b and 7c of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

CAL. NO. 193-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of A. Paul Loshen, applicant, on behalf of Charles Weber, owner, to permit in a residence use district the erection and maintenance of a garage for more than three (3) motor vehicles erected on the premises appurtenant to a multiple dwelling; garage space is for the use of tenants only; premises 175-35 Dalny road, northwest corner of Highland avenue (Block No.

9884, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 460-40-BZ—Application, May 1, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Lenox Gardens Building Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 68-12 Yellowstone boulevard, northwest corner of 68th road, west side of Yellowstone boulevard, from 68th road to 68th avenue (Block No. 2137, Lot Nos. 27, 29, 31, 33, 35, 39 and 43), Forest Hills, Borough of Queens.

CAL. NO. 466-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Franklin Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 118-11 84th avenue, northwest corner of Lefferts boulevard (avenue) and northeast corner of 84th avenue and 118th street (Block No. 3322, Lot No. 135), Kew Gardens, Borough of Queens.

CAL. NO. 555-27-BZ—Application of Conroy and Hardy, applicants, on behalf of Elizabeth W. Herman, owner, reopened February 14, 1940, under alleged new facts, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Properties, Incorporated, owner, reopened May 9, 1939, for rehearing by order of the court, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence

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use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 1447-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Marie Hediger, owner, to permit in a business use district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens.

CAL. NO. 385-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3560 Netherland avenue and 566 West 236th street, southeast corner (Block No. 3409-G, Lot No. 492), Borough of The Bronx.

CAL. NO. 386-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3215 Arlington avenue, west side, 100.28 ft. north of West 232nd street (Block No. 3409, Lot Nos. 62 and 64), Borough of The Bronx.

CAL. NO. 387-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated,

owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3260 Netherland avenue, east side, 150 ft. south of West 235th street (Block No. 3409-B, Lot No. 148), Borough of The Bronx.

CAL. NO. 388-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3225 Johnson avenue, west side, 214.73 ft. north of West 232nd street (Block No. 3409-B, Lot Nos. 177 and 179), Borough of The Bronx.

CAL. NO. 389-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3259 Johnson avenue, west side, 116.67 ft. south of West 235th street (Block No. 3409-B, Lot Nos. 165 and 166), Borough of The Bronx.

CAL. NO. 814-28-BZ—Application of William Reich, applicant, on behalf of John Cestaro, Patrick LaTrace and Joseph Cestaro, owners, reopened October 24, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station (said gasoline service station previously granted by the Board); premises 796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

CAL. NO. 436-40-BZ—Application, April 25, 1940, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Mollie Schorr, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone

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resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 465-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Samuel Gardstein, applicant, on behalf of Madison Arms, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 118-60 Metropolitan avenue, south side, 180.14 ft. west of Leferts boulevard (avenue); (Block No. 3322, Lot No 25), Kew Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JULY 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

673-40-A—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under Section 35, General City Law—re Bed of Mapped Street).

689-40-A—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

OCTOBER 15, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JUNE 11, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, May 14, 1940, the minutes of the regular meeting of the Board held on Tuesday afternoon, May 14, 1940, and the minutes of the special meeting of the Board

held on Friday morning, May 17, 1940, were approved as printed in Bulletin No. 21, Vol. 25.

BUILDING ZONE CASES.

255-40-BZ.

APPLICANT—Samuels and Samuels, for Benlem Realty Corporation, owner.

SUBJECT—Application (re decision of the borough

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superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Ruth Hofer and Charles Tilgner, Department of Education.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to October 15, 1940, at 10 A.M., for further consideration by the Board.

350-40-BZ.

APPLICANT—Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a building (Fire House) not complying with "E" area requirements.

PREMISES AFFECTED—1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Carl Hartzelius.

For Opposition: None

ACTION OF BOARD—Laid over to June 25, 1940, at 10 A.M., for applicant to send out notices to affected property owners not later than June 12.

438-39-BZ.

APPLICANT—Lama and Proskauer, for Fannie Wolf, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

1437-39-BZ.

APPLICANT—Charles Leo Koester, for Galonite, Incorporated, owner (Harry Cook, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED — 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commis-

sioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1437-39-BZ)

WHEREAS, Charles Leo Koester (Harry Cook, lessee), for Galonite, Incorporated, owner, filed November 22, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station; premises 179-27 Jamaica avenue, northeast corner of 179th place (Block No. 9896, part of Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, this application was adjourned after hearing for filing of revised plans, which plans have not been filed.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1008-39-BZ.

APPLICANT—Herman Kron, for Rosebeck Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store).

PREMISES AFFECTED—1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Sal A. Herzog, Herman Kron, Morris D. Dubin and others.

For Opposition: Isidore Papik, A. L. Garber and Edward A. Kimmel.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commis-

sioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1008-39-BZ)

WHEREAS, Herman Kron, for Rosebeck Holding Corporation, owner, filed July 28, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 11, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sheridan avenue, Grand Concourse, Mount Eden avenue and East 172nd street are in residence use districts; and

WHEREAS, the premises consist of a plot of ground having a frontage of 71.52 ft. on Grand Concourse, 53 ft. on Sheridan avenue and a depth of 191 ft.; upon the plot there is a public garage, one story in height (at the Grand Concourse level) and running through to Sheridan avenue; the Sheridan avenue grade is below that of Grand Concourse and also

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below the garage at Sheridan avenue; on the Sheridan avenue grade there is a store having a frontage of 28 ft. and an approximate depth of 47 ft.; it is proposed to erect upon the vacant portion of the site an extension to the existing store, one story in height and 25 ft. by 57 ft. in area; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision a, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7a thereof, to permit the extension of the existing business use as proposed, *on condition* that a new exterior stairway as a second means of exit from the garage shall be constructed along the northerly lot line to Sheridan avenue; that the wall of the proposed extension shall be set back to sufficient width to permit such stairway; that the wall along Sheridan avenue shall not exceed 18 ft. in height; that any openings therein shall be filled with approved glass block; that there shall be no exterior door in the proposed extension; that no skylights shall be erected in the roof nearer than 15 ft. to the adjoining building to the north; that the existing store front shall not be increased; that all signs, including signs extending beyond the building line, shall be removed, and there shall be only one sign, advertising the business use, attached to the facade of the present building over the show window; that the proposed extension shall be of fireproof construction throughout; that this proposed extension shall be used only in conjunction with the present business, which shall be limited to the sale of food products, excluding fresh fish; that this variance is granted on the condition that the business use in this portion of the building is restricted to a use permitted within a business district; that all permits required shall be obtained and all work completed within one (1) year from the date of this resolution.

179-40-BZ.

APPLICANT—Slee and Bryson, for William R. Crowley, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7b and 7c of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business use throughout.

PREMISES AFFECTED—92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: William R. Crowley, C. E. Blomberg, John B. Slee and Dr. Maxwell H. Lanes.

For Opposition: B. Meredith Langstaff, Leo Bernstein and Arthur Sheinberg.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief McCarthy..... 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(179-40-BZ)

WHEREAS, Slee and Bryson, for William R. Crowley, owner, filed February 15, 1940, an application under sections 7a, 7b and 7c of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building now used for business and dwelling use to business

use throughout; premises 92 Clark street, south side, 92 ft. 6 in. east of Henry street (Block No. 237, Lot No. 41), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 11, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Clark street, Henry street and Fulton street are in business and residence use districts; Monroe place is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 2652-1939, dated February 6, 1940, reads:

"Proposed extension of a business use in a building partly in a business use district and partly in a residential use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution and is, therefore, denied."

and

WHEREAS, the existing building is three stories in height, with a frontage of 20 ft. and a depth of 50 ft., and of Class 3 construction; the westerly portion of the building extends into the business use district for a distance of 7 ft. 6 in. and the remainder is in a residence use district; at present the building is used for store and residence use on the first story; it is proposed to use the building as a store on the first story and for offices above the first story; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under sections 7a, 7b and 7c of the building zone resolution for the extension of the present existing business use.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Application No. 2652-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

252-40-BZ.

APPLICANT—William O. Staber, for Home Owners' Loan Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and, also, E area district, the maintenance of a garage, accessory to the dwelling on the same lot, the garage not conforming with E area requirements as to the ten foot setback from the street line.

PREMISES AFFECTED—25-02 Curtis street, southwest corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: James P. Farrell and William O. Staber.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

THE RESOLUTION—

(252-40-BZ)

WHEREAS, William O. Staber, for Home Owners' Loan Corporation, owner, filed March 6, 1940, an application under section 21 of the building zone resolution, to permit in a residence use and, also, "E" area district, the maintenance of a garage accessory to the dwelling on the same lot, the garage not conforming with E area requirements as to the 10 ft. setback from the street line; premises 25-02 Curtis

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street, southeast corner of 25th avenue (Block No. 1654, Lot No. 28), East Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 11, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 25th avenue, Curtis street and Ericson street are in residence use and E area districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 5934, dated February 13, 1940, reads:

"Premises is located in an E area district. No portion of any building shall be erected nearer than 10 ft. to the line of any street. Sec. 15-d of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on 25th avenue and 20 ft. on Curtis street; on the Curtis street front of the plot there is a one-family frame dwelling, and on the west portion of the 25th avenue frontage of the plot there is a one-car concrete block accessory garage, 11 ft. 4 in. by 20 ft. in area; the garage is located in the street line and is not set back the required 10 ft. from the street line; it is proposed to maintain the garage at the present location; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21, *on condition* that in all other respects the zoning resolution and all laws, rules and regulations applicable to the premises shall be complied with, and that the garage shall be used only as accessory to the residential building on the plot; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

300-40-BZ.

APPLICANT—Herman M. Cohn, for S. and B. Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman M. Cohn and Arnold Dresden.

For Opposition: Fred S. Schlesinger, Eugene J. Morris, Harry Kaufman and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant

Chief McCarthy 4

THE RESOLUTION—

(300-40-BZ)

WHEREAS, Herman M. Cohn, for S. and B. Realty Corporation, owner, filed March 25, 1940, an application under section 21 of the building zone resolution, to permit in a

business use district the erection and maintenance of a gasoline service station and also, the parking of more than five (5) motor vehicles; premises 1115 East Tremont avenue, north side, 107.21 ft. east of Devoe avenue, and 1116 East 179th street (Block No. 4004, Lot Nos. 11, 12, 14, 15 and 16), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 11, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Tremont avenue and East 179th street are in business and unrestricted use districts; Devoe avenue is in an unrestricted use district; Bronx Park avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application 1153-1940, dated March 11, 1940, reads:

"1. Proposed gasoline service station Parking Space, Rest Room and Office in a 'Business District' is contrary to Article 2, Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 134 ft. on East Tremont avenue, 75 ft. on East 179th street and a frontage of 122 ft. along the east lot line; on the East Tremont avenue frontage of the plot is located a one-story frame building occupied as stores; it is proposed to demolish this building and to erect upon the westerly portion of the plot a one-story building, 25 ft. by 90 ft. in area, to be used as an office and lubritorium, to install on the East Tremont avenue frontage of the plot the necessary tanks and pumps for a gasoline service station and to use the remainder of the plot for the parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area are familiar to the Board because of previous applications in the general area; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 1153-40, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 12:50 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JUNE 11, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

858-19-BZ.

APPLICANT—Lama and Proskauer, for Ruth K. Klee, owner.

SUBJECT—Application for consideration — reopening and amendment (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of part of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a gasoline service station, lubritorium and automobile laundry.

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PREMISES AFFECTED—1520-1528A Fulton street, south side, 320 ft. west of Albany avenue (Block No. 1864, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

179-37-BZ.

APPLICANT—Irving M. Fenichel, for New Method Service Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—(decision of the borough superintendent of buildings)—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

1210-21-BZ.

APPLICANT—Ervin Palmer, for Warren Associates, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), previously granted on condition, permitting in a residence use district the conversion of dwellings into stores on first story.

PREMISES AFFECTED—2391-2397 Grand Concourse, west side, 130.43 ft. north of East 184th street (Block No. 3165, Lot Nos. 55 and 57), Borough of The Bronx.

APPEARANCES—

For Applicant: Ervin Palmer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(1210-21-BZ)

WHEREAS, this application to permit in a residence use district the conversion of occupancy from dwellings to stores on the first story; premises 2391-2397 Grand Concourse, west side, 130.43 ft. north of East 184th street (Block No. 3165, Lot Nos. 55 and 57), Borough of The Bronx, was granted by the Board December 6, 1921; and

WHEREAS, an application has been filed with the borough superintendent of buildings, namely, Electric Sign Applic. Nos. 287-40, 860-39, 358-40 and 344-40, for permission to erect business signs, and such applications have been disapproved under date of June 11, 1940; and

WHEREAS, Ervin Palmer, for Warren Associates, Incorporated,

owner, requested reopening of the application and amendment of the resolution as to signs.

Resolved, that the resolution adopted by the Board on December 6, 1921, be and it hereby is *amended* by adding thereto:

"that signs shall be restricted to signs attached to the show windows, doors and fan lights on the store fronts and permanent signs attached to the masonry below the level of the belt course at the sill of the second story windows, substantially as indicated on plans marked 'Received May 28, 1940,' and as shown on photographs filed at this hearing."

345-32-BZ.

APPLICANT—Alphonsus B. Casey, for Patrick J. Reilly, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), previously granted on condition under section 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—North side of 47th avenue, 91 ft. east of Cross Island boulevard (Block No. 1299, part of Lot No. 105), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alphonsus B. Casey.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

4

Negative

0

THE RESOLUTION—

(345-32-BZ)

WHEREAS, this application affecting premises north side of 47th avenue, 91 ft. east of Cross Island boulevard (Block No. 1299, part of Lot No. 105), Bayside, Borough of Queens, was granted by the Board March 3, 1933, on certain conditions, resolution amended from time to time, and the applicant requests a further extension of the permit.

Resolved, that the resolution adopted by the Board on March 3, 1933, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a term of one (1) year from the date of this *amended resolution*."

330-33-BZ.

APPLICANT—Jopaul Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: George Bisgier and George De-Combo.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

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THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(330-33-BZ)

WHEREAS, this application affecting premises north side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens, was granted by the Board February 14, 1934, on certain conditions, resolution amended from time to time, and applicant requests an extension of the permit.

Resolved, that the resolution adopted by the Board on February 14, 1934, as last amended by resolution adopted December 5, 1939, be and it hereby is *further amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a term of six (6) months from the date of this amended resolution."

166-37-BZ.

APPLICANT—Mary B. Roberts, for Lawida Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the use of a plot of ground for the parking and storage of more than five (5) motor vehicles and, also, for used car sales.

PREMISES AFFECTED—4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan.

APPEARANCES—

For Applicant: Mary B. Roberts.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(166-37-BZ)

WHEREAS, Mary B. Roberts, for Lawida Corporation, owner, filed April 13, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the use of a plot of ground for the parking and storage of more than five (5) motor vehicles and, also, for used car sales; premises 4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan; and

WHEREAS, this application was granted by the Board March 1, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the resolution adopted by the Board on March 1, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted, under section 7h, for a term of two (2) years from the date of this amended resolution."

420-37-BZ.

APPLICANT—Mainrose Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), granted under section 7h of the building zone resolution, permitting

in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block No. 5019, Lot No. 16), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Aaron L. Moses.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(420-37-BZ)

WHEREAS, J. Bert Miller, lessee, for Mainrose Realty Corporation, owner, filed August 27, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block No. 5019, Lot No. 16), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board July 12, 1938, on certain conditions, and the owner requested an extension of the permit.

Resolved, that the resolution adopted by the Board on July 12, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted, under section 7h, for a term of two (2) years from the date of this amended resolution."

436-37-BZ.

APPLICANT—Herman Kron, for Chanler Estates, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—239-255 East Third street, north side, 90 ft. west of Avenue C (Block No. 386, Lot Nos. 45 to 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Herman Levy.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(436-37-BZ)

WHEREAS, Herman Kron, for Chanler Estate, Incorporated, owner, filed September 7, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 239-255 East Third street, north side, 90 ft. west of Avenue C (Block No. 386, Lot Nos. 45 to 51), Borough of Manhattan; and

WHEREAS, this application was granted by the Board June 1, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the resolution adopted by the Board on

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June 1, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted*, under section 7h thereof, for a term of two (2) years from the date of this *amended resolution*."

480-37-BZ.

APPLICANT—John R. Davies, for Wendel Foundation and Phelps Estate, Incorporated, owners (Arco Stations, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 7c of the building zone resolution, permitting, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Borough of Manhattan.

APPEARANCES—

For Applicant: J. P. Callender.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(480-37-BZ)

WHEREAS, Samuels and Samuels, for Wendel Foundation and Phelps Estate, Incorporated, owners, filed October 11, 1937, an application under the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Borough of Manhattan; and

WHEREAS, this application was granted by the Board June 14, 1938, on certain conditions, and the owner through his representative requested an extension of the permit.

Resolved, that the resolution adopted by the Board on June 14, 1938, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted*, under section 7h thereof, for a temporary term of two (2) years from the date of this *amended resolution*."

APPEALS FROM ADMINISTRATIVE DECISIONS.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: Caesar Nobiletti.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., pending court decision.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: Caesar Nobiletti.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., pending court decision.

1535-39-A.

APPLICANT—Samuel Gardstein, for David Forman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., to await court decision in similar case.

1536-39-A.

APPLICANT—Samuel Gardstein, for Charles Berk, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., to await court decision in similar case.

1537-39-A.

APPLICANT—Samuel Gardstein, for Morton Pickman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—155-04 Killarney street, southwest corner of 155th avenue (Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., to await court decision in similar case.

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1538-39-A.

APPLICANT—Samuel Gardstein, for Sam Berley, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—9903 North Conduit avenue, northeast corner of Huron street (Albert road), (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., to await court decision in similar case.

124-40-A.

APPLICANT—Joseph E. Herman, Acting Borough Superintendent of Buildings, Borough of Manhattan.

OWNER OF PREMISES—Emmar Cronan.

SUBJECT—Application for Revocation of Certificate of Occupancy No. 25551.

PREMISES AFFECTED—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred Dahlem.

For Lessee: Robert Kelleher.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., pending filing of building zone application.

383-40-A.

APPLICANT—William L. Kaplow, for Mather Gaver, owner (David Gaver and Sons, lessees).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: William L. Kaplow.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for applicant to file plans.

458-40-A.

APPLICANT—Frank C. Keller, for Weeks Woodlands, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, part of Lot No. 1), Bayside, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Frank C. Keller.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for further consideration by the Board.

459-40-A.

APPLICANT—Frank C. Keller, for Weeks Woodlands, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, part of Lot No. 1), Bayside, Borough of

Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Frank C. Keller.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for further consideration by the Board.

493-40-A.

APPLICANT—Lauritz Lauritzen, for Very Rev. Msgr. J. Jerome Leddy, Director of Catholic Charities.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101-103 Greene avenue, northeast corner of Vanderbilt avenue (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to June 18, 1940, at 2 P.M., for applicant to file plans.

509-40-A.

APPLICANT—Klin Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Blanche Genaner.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., on request of applicant's representative.

547-40-A.

APPLICANT—S. Millman and Son, for 233 South Third Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., pending inspection by a committee of the Board.

550-40-A.

APPLICANT—S. Millman and Son, for Daniel Kasdan, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., pending inspection by a committee of the Board.

554-40-A.

APPLICANT—Lama and Proskauer, for Margaret R. Di Gioia, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2146 Gerritsen avenue, west

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side, 280 ft. north of Avenue U (Block No. 7341, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Abram Schlestein.

For Opposition: Paul Friedman and William H. Calder.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 18, 1940, at 2 P.M., on request of appellant.

570-40-A-WF.

APPLICANT—George Hollis (lessee), for Mariantonia Marrone, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—109-23 World's Fair (Horace Harding) boulevard, northwest corner of Waldron street (Block No. 1969, Lot Nos. 7-9 and 11), Corona, Borough of Queens.

APPEARANCES—

For Applicant: William Clegg.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for inspection by a committee of the Board.

615-40-A.

APPLICANT—S. Millman and Son, for Flatbush Federal Savings Loan Association, owner (John McGimley, Jr., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2035 Flatbush avenue, northeast corner of Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., pending inspection by a committee of the Board.

1149-39-A-WF.

APPLICANT—Austin W. Magee, for Filipe Dannangelo, owner (Steinberg and Dubin, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—130-13 to 130-15 World's Fair (Horace Harding) boulevard, north side, 97.31 ft. east of Rodman street (Block No. 6356, Lot No. 50), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

1258-39-A.

APPLICANT—William F. Lally, for Alice L. Radford, owner (Stullman Box and Lumber Company, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—13-15 Charles street, east side, 100 ft. north of Prospect street, 167 Prospect street

and 126-132 Gold street (Block No. 70, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

174-40-A.

APPLICANT—G. R. Rinke, for New York Dock Company, owner (John Powell and Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Building Nos. 339, 344 and 345), (Block No. 611, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. R. Rinke and G. A. Eweler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(174-40-A)

WHEREAS, G. R. Rinke, for New York Dock Company, owner, filed February 13, 1940, an appeal from an order of the fire commissioner; premises 273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Building Nos. 339, 344 and 345), (Block No. 611, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 82285-LC, dated January 17, 1940, reads:

"You are hereby notified that an inspection of the above premises, used to store Kerosene, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

Discontinue the storage of 600 drums of kerosene in yard of the above premises, pending the installation of an approved storage system.

Install an approved storage system for the storage of kerosene oil."

and

WHEREAS, the buildings are one story, average 16 ft. in height, 64 ft. 4 in. by 100 ft. 1 in., 63 ft. 2 in. by 100 ft. 7 in., 86 ft. 8 in. by 137 ft. 11 in. in area, respectively, used for the manufacture and storage of petroleum products, 21 persons; and

WHEREAS, the applicant contends that no more than fifty drums of kerosene are stored on the premises, which amount has been stored for a number of years with the permission of the Fire Department; that the buildings are sprinklered with a dry system having three sources of water supply, namely, city main, fire pump and 50,000-gallon gravity tank; that adequate high and low pressure fire hydrants are located in the vicinity; that the buildings are equipped with water buckets, water barrels, pyrene guns and foamite extinguishers, and are connected with the National District Telegraph System; that under the circumstances it is requested that the request for permission to store fifty drums of kerosene as heretofore permitted by the fire commissioner be renewed, and that to deny this relief would create undue hardship

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on the lessee and cause him to remove his business from the City of New York.

Resolved, that the order of the fire commissioner, Order No. 82285-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than fifty drums of kerosene shall be stored at any time adjacent to the buildings under appeal, and that such storage shall be within the driveway against the unpierced wall of Building Nos. 338-339 and shall be under a shelter which may be attached to the building, consisting of galvanized iron or similar material; that the drums shall be as approved by the Interstate Commerce Commission; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

240-40-A.

APPLICANT—John J. Gilmartin, for G. V. N. Baldwin, Jr., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(240-40-A)

WHEREAS, John J. Gilmartin, for G. V. N. Baldwin, Jr., owner, filed March 4, 1940, an appeal from an order and a decision of the fire commissioner; premises 243 Water street, east side, 97 ft. 4 in. south of Peck Slip (Block No. 97, Lot No. 54), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 5541-LF, dated September 6, 1937, reads:

"1. Install an approved wet automatic sprinkler system throughout building, having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 1, 1940, which reads:

"In reference to your request for reconsideration on Order No. 5541 LF, requiring a sprinkler system in the above premises you are advised as follows:

A reinspection has been made and in view of the amount of combustible materials stored in the Building, open stair and hoist shafts, your request must be denied."

and

WHEREAS, the building is four stories (46 ft. 6 in.) in height, 24 ft. 11 in. by 76 ft. 4 in. at street level and 24 ft. 11 in. by 55 ft. in area at typical floor level; of Class 3 construction; erected prior to 1894; located in an unrestricted use A area district, and occupied: cellar, vacant; first story, storage and offices; second, third and fourth stories, storage; and

WHEREAS, the applicant contends the building has been used for the present occupancy for twenty-eight years under Fire Department permits; that the occupancy consists of receiving loose burlap bags and rebaling and shipping them out; that this baling is done on the first story; that the only articles on the premises are in small bales and are clean, white rags, cut on the premises for sale to the trade for cleaning of machinery in lieu of waste; that the contents of the upper stories are to be considered as merchandise as

various kinds of merchandise are stored in the building; that it would be a great hardship on the owner to be compelled to install a sprinkler system in view of the small rental received for the building; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

462-40-A.

APPLICANT—Frederick O. Lewis, for Santini Brothers, Incorporated, owners.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1537-1553 Bedford avenue, 402-408 Eastern parkway, southeast corner, and 1131-1139 Union street (Block No. 1267, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick O. Lewis and Louis Bruman.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(462-40-A)

WHEREAS, Frederick O. Lewis, for Santini Brothers, Incorporated, owners, filed May 2, 1940, an appeal from an order of the fire commissioner; premises 1537-1553 Bedford avenue, 402-408 Eastern parkway, southeast corner, and 1131-1139 Union street (Block No. 1267, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4566-LF, dated April 4, 1940, reads:

"2. Replace all missing pipe of sprinkler system in basement and restore system to proper working condition as per Article 16, Chapter 26, Administrative Code of the City of New York.

3. Arrange for a pressure test of the entire sprinkler system installed in the above premises, such tests shall also include the sprinkler siamese and connections up to the lower check valves. These tests are to be arranged for and conducted by the owner and at the owner's risk in the presence of a representative of this department. The Division of Fire Prevention must be notified in writing at least 48 hours before the test.

4. Have person in charge of sprinkler secure Certificate of Fitness from this Department. Note: Application for certificates may be obtained at Room 1100, Municipal Building, Chambers and Centre Streets, New York City any weekday excepting Saturdays between the hours of 9 A.M. to 5 P.M. C19-161.0 Administrative Code of the City of New York."

and

WHEREAS, the building is three stories and basement (49 ft.) in height, 77 ft. 6½ in. by 155 ft. 7 in. in area; of Class 1 construction; equipped with a sprinkler system; located in a business use B area district; erected in 1916 and 1924, and previously occupied: basement, garage; first story, showroom and repair shop; second story, storage of motor vehicles and repairs; third story, storage of motor vehicles and repairs; now occupied: basement, truck space and loading space, 5 persons; first story, office, display, store and furniture storage, 20 persons; second and third stories, furniture storage, 4 persons combined; and

WHEREAS, the applicant contends that it is proposed to disconnect the sprinkler system and to remove the siamese connection as it is not wanted by the present owner and is

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not legally required in a Class 1 building of this height and area.

Resolved, that the order of the fire commissioner, Order No. 4566-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that if the sprinkler system piping remains in the building unused, that the siamese connection at the building line shall be entirely removed; that in all other respects the building and occupancy shall meet the requirements of all laws, rules and regulations applying thereto and shall be maintained to the satisfaction of the fire commissioner; that this is without prejudice to a decision by the fire commissioner requiring the installation of the sprinkler system if in his opinion it appears necessary at any time.

495-40-A-WF.

APPLICANT—Jack H. Schecter, lessee, for Carmela Adamo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(495-40-A-WF)

WHEREAS, Jack H. Schecter, for Carmela Adamo, owner, filed May 8, 1940, an appeal from a decision of the borough superintendent of buildings; premises 112-27 Northern boulevard, north side, 60.12 ft. east of 112th place (Block No. 1707, Lot Nos. 36 and 37), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application 3335-40, dated May 8, 1940, reads:

"1. The erection of a roof sign within the World's Fair Area is contrary to Section 4 of the World's Fair Resolution.

2. Construction of roof sign as shown is contrary to provisions of Section B-26-11.0 of the Administrative Code."

and

WHEREAS, the proposed building will be one story (9 ft.) in height, 8 ft. by 8 ft. in area; of Class 4 construction; upon a lot 40 ft. by 91 ft. in area; located in a business use district, and occupied as information booth for two persons; and

WHEREAS, the applicant contends, as to Item 1, that the proposed information booth will be of no value unless it can be seen by motorists at sufficient distance to enable them to make a gradual stop; that the sign in question is designed to be a harmonious unit of the booth, which is intended to comply with the requirements of the World's Fair design committee; that as to Objection 2, the cost of erecting the sign, the bottom of which will be 10 ft. above the roof, would be prohibitive in view of the temporary nature of the structure.

Resolved, that the decision of the borough superintendent of buildings, on Miscellaneous Application No. 3335-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sign shall in all other respects meet all requirements of all laws, rules and regulations applicable thereto, except that the sign may extend above the roof for not over 10 ft., as shown on plan filed

with this appeal, and that the building and sign shall not be further increased in height or area; that this variance shall continue only so long as the building is used as proposed, as an information booth, during the period of the World's Fair.

523-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Estates Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-03 190th street, southeast corner of Union Turnpike (Block No. 7268, Lot No. 1), Jamaica Estates East, Borough of Queens.

APPEARANCES—

For Applicant: William M. Adelman.

For Administration: M. O. Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(523-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Estates Corporation, owner, filed May 16, 1940, an appeal from a decision of the borough superintendent of buildings; premises 80-03 190th street, southeast corner of Union Turnpike (Block No. 7268, Lot No. 1), Jamaica Estates East, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application 2316-40, dated April 26, 1940, and reconsideration of which was denied May 13, 1940, reads:

"1. The erection of a frame building in the Fire Limits is contrary to the Code (Sec. 4.1.1 and Sec. 4.1.2.)"

and

WHEREAS, the proposed building will be two stories in height, 26 ft. 6 in. by 33 ft. 6 in. in area; of Class 4 construction; located in a business use A area district; provided with a one-story garage, 12 ft. in height and 11 ft. by 19.8 ft. in area; and

WHEREAS, the applicant contends that the use of this street for business is impractical inasmuch as there is sufficient business streets in the neighborhood; that to leave the plot unbuilt upon would constitute an eyesore and a detriment to the neighborhood; that the proposed buildings will be surfaced on the exterior with 4 in. of brick veneer on the first story and stucco or brick at the second story; that the roofs will be surfaced with slate; that the distances between buildings will be not less than 10 ft.; that these buildings will be similar in design to buildings constructed on the balance of the block; that the property on the south side of Union Turnpike within the business use zone, owned by the applicant, between the east side of 189th street and the west side of 193rd street, has been restricted to residence use in accordance with covenants and restrictions filed November 28, 1939, in the office of the Register of Queens County.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 2316-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the residence building shall be restricted to the occupancy of one family and the garage accessory thereto; that the requirements of the zoning resolution for an F residential area district shall be complied with, except as to side yards, and the distance between the building on this plot and the adjoining building shall be not less than 10 ft., and the distance from the building to the street line of Union Turnpike shall be not less than 8 ft. 6 in.; that in all other respects the building shall

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comply with the requirements of the Building Code for buildings erected outside of the fire limits and in accordance with the statement attached to this appeal and that the garage shall not be erected nearer than 1 foot to any lot line.

524-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-04 190th street, southwest corner of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens.

APPEARANCES—

For Applicant: William M. Adelman.

For Administration: M. O. Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(524-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed May 16, 1940, an appeal from a decision of the borough superintendent of buildings; premises 80-04 190th street, southwest corner of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application 2469-40, dated April 23, 1940, reconsideration of which was denied May 3, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to section 4-1-2 of the building code."

and

WHEREAS, the proposed building will be two stories (24 ft.) in height, 27 ft. by 27 ft. in area; of Class 4 construction; located in a business use A area district; occupied for a one-family dwelling; provided with a one-story garage, 12 ft. in height and 11 ft. by 19 ft. 8 in. in area; and

WHEREAS, the applicant contends that the use of this street for business is impractical inasmuch as there is sufficient business streets in the neighborhood; that to leave the plot unbuilt upon would constitute an eyesore and a detriment to the neighborhood; that the proposed buildings will be surfaced on the exterior with 4 in. of brick veneer on the first story and stucco or brick at the second story; that the roofs will be surfaced with slate; that the distances between buildings will be not less than 10 ft.; that these buildings will be similar in design to buildings constructed on the balance of the block; that the property on the south side of Union Turnpike within the business use zone, owned by the applicant, between the east side of 189th street and the west side of 193rd street has been restricted to residence use in accordance with covenants and restrictions filed November 28, 1939, in the office of the Register of Queens County.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 2469-40, be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 1, on condition that the residence building shall be restricted to the occupancy of one family and the garage accessory thereto; that the requirements of the zoning resolution for an F residential area district shall be complied with, except as to side yards, and the distance between the building on this plot and the adjoining building shall be not less than 10 ft., and the distance from the building to the street line of Union Turnpike shall be not less than 8 ft. 6 in.; that in all other respects the building shall comply with the requirements of the Building Code for buildings erected outside of the fire limits and in accordance with the statement attached to this appeal and that the garage shall not be erected nearer than 1 foot to any lot line.

545-40-A.

APPLICANT—Harry B. Lindberg, for Borden's Farm Products Division of the Borden Company, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—633 West 125th street, north side, 418 ft. 6 in. east of 12th avenue, and 628-630 West 130th street (Block No. 1996, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry B. Lindberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(545-40-A)

WHEREAS, Harry B. Lindberg, for Borden's Farm Products Division of The Borden Company, owner, filed May 20, 1940, an appeal from an order of the fire commissioner; premises 633 West 125th street, north side, 418 ft. 6 in. east of 12th avenue, and 628-630 West 130th street (Block No. 1996, Lot No. 16), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 20872-LC, dated February 7, 1940, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system for instance, an approved automatic sprinkler system. Sec. C-19-149.0-C-4 Art. 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated April 22, 1940; and

WHEREAS, the building is one, three and four stories (56 ft.) in height, 50 ft. by 99 ft. 10 in. in area on the first story and 50 ft. by 124 ft. 8 in. at typical floor level; of Class 3 construction; erected in 1907; located in an unrestricted use A area district, and occupied: first story, wagon storage, 2 persons; second story, stable, 2 persons; third story, stable, 2 persons; fourth story, storage; and

WHEREAS, the applicant contends that the building has been continuously occupied for the present purpose since its erection in 1907; that the hay and feed is stored on the fourth story in bales in limited quantities only and in a limited space; that less than one ton of combustible fibre is opened at any one time; that the floor construction above the cellar consists of brick arch steel and concrete type construction; that there is no heat in the building; that fire extinguishers and fire pails are provided throughout and fire escapes are provided on the 125th and 130th street fronts of the building; that in view of the fact that the building was erected in accordance with the laws and regulations in force at the time of erection, and has not been since altered, it is requested that it be allowed to continue in its present use for the few remaining years as a stable.

Resolved, that the order of the fire commissioner, Order No. 20872-LC, be and it hereby is modified and that the appeal be and it hereby is granted on condition that not more than 1,500 pounds of loose hay shall be stored in the building at any one time; that not more than ten tons of hay in bales shall be stored on the premises; that this variance shall continue for not over four (4) months from the date of this resolution in view of the statement by the applicant that the building is to be torn down and a new fireproof garage building constructed.

575-40-A.

APPLICANT—The Equitable Life Assurance Society of the United States, owner.

MINUTES

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—383, 393 and 399 Seventh avenue, east side, entire block from West 31st street to West 32nd street, 157 West 31st street and 166 West 32nd street (Block No. 807, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Klinger and F. R. Anthor.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(575-40-A)

WHEREAS, The Equitable Life Assurance Society of the United States, owner, filed May 24, 1940, an appeal from an order of the fire commissioner; premises 383, 393 and 399 Seventh avenue, east side, from West 31st street to West 32nd street, 157 West 31st street and 166 West 32nd street (Block No. 807, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 21847-LC, dated April 26, 1940, reads:

"With reference to your application dated April 9th, 1940, for a permit to store ammunition at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

That, Section C19-38-0-D-4, Art. 5, Administrative Code prohibits the issuance of such permit for any premises where liquors are sold.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Refrain from storing ammunition in excess of 200 small arms cartridges on these premises. Sec. C19-38.0-A, Art. 5, Administrative Code."

and

WHEREAS, the building is twenty-six stories (391 ft. 9 in.) in height, 197 ft. 6 in. by 285 ft. in area; of Class 1 construction; located in a restricted retail use B area district; erected in 1924, and occupied throughout as an office building; and

WHEREAS, the applicant contends that it employs sixty-one armed employees; that it is necessary to store a quantity of .22, .32 and .38 special ammunition for training and for use of these employees in the event of an emergency; that it is proposed to install a fireproof safe for the storage of arms and ammunition in the room used as a rifle and pistol range in the basement and sub-basement; that the following quantities of ammunition will be stored: .22 Long Rifle, 5,000; .32, 1,000; .38 S & W, 1,000; .38 Special, 1,500.

Resolved, that the order of the fire commissioner, Order No. 21847-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the portion of the building in which liquors and cigars are sold is separated from the balance of the building by fireproof materials, with no entrance from the restaurant space to the rifle range or to where the ammunition is stored; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner, and that in all other respects the conditions shall be maintained as set forth in the statement attached to this appeal.

584-40-A.

APPLICANT—Charles B. Ferris, for Mutual Life Insurance Company of New York, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—137-139 Riverside drive, southeast corner of West 86th street (Block No. 1247, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: Rollin C. Bastress, Otto L. Kelm and Frederick A. Hartman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(584-40-A)

WHEREAS, Charles B. Ferris, for Mutual Life Insurance Company of New York, owner, filed May 31, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 137 to 139 Riverside drive, southeast corner of West 86th street (Block No. 1247, Lot No. 57), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings, on Alt. Applic. No. 2709-39, dated May 8, 1940, reads:

"29. Fireproofed wood may not be used in stairhall, lobby or vestibule. Sec. 10.9.2.6."

and

WHEREAS, the building is twelve stories (146 ft.) in height, 90 ft. by 102 ft. 2 in. in area; of Class 1 construction; erected in 1906; located in a residence use B area district; to be occupied throughout as a Class A multiple dwelling; and

WHEREAS, the alteration proposed consists of providing two new fireproof stairs and other features which will meet the requirements of the Code; and

WHEREAS, permission is requested to use fireproof wood in the following locations: first story outside vestibule, 4 in. chair rail; between outside vestibule and inside vestibule, one pair fireproof wood doors with trim and sidelights of leaded glass; inside vestibule, 4 in. chair rail and 5 in. wood trim around trimmed openings and doors; main lobby, 2 ft. high wood wainscot, wood trim, wood mantel for the fireplace and wood dentils 1½ in. by ¾ in. applied on a plastered cornice; and

WHEREAS, the applicant contends that throughout the vestibules and the main lobby the floors are terrazzo and marble and the base is 6 in. high marble; that all doors and windows opening on this space are fireproof and self-closing; that only three of the apartments on the first story have egress through the main lobby; that one of the required stairs terminates in the inside vestibule within 7 ft. of the vestibule door, and egress therefrom does not pass through the main lobby; that the other required stair terminates in the court and egress therefrom does not traverse the first story; that there is a separate and independent means of egress from the main lobby directly to the street; that it is intended to carry Georgian Colonial treatment throughout the building, and it is impossible to satisfactorily execute such treatment without the use of wood.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Applic. No. 2709-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 29, *on condition* that the fireproof wood proposed to be used shall not exceed the quantity and location as specified in the application attached to this appeal and shall in all other respects meet the requirements of the Multiple Dwelling Law as apply to section 4, subdivision 10, as to approved fireproof wood and the requirements of the Building Code.

585-40-A.

APPLICANT—George J. Smith, for Lillian Tickle, owner (Arthur Tickle Engineering Works, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

MINUTES

PREMISES AFFECTED—23-29 Delevan street, south side, 200 ft. west of Dwight street (Block No. 523, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: George J. Smith, Howard B. Tickle and Arthur B. Tickle, Jr.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Not Voting: Assistant Chief McCarthy 1

THE RESOLUTION—

(585-40-A)

WHEREAS, George J. Smith, for Lillian Tickle, owner, filed May 31, 1940, an appeal from a decision of the borough superintendent of buildings; premises 23-29 Delevan street, south side, 200 ft. west of Dwight street (Block No. 523, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2500-40, dated May 27, 1940, reads:

"1. Proposed frame extension converting two existing frame buildings used for business use (machine shop) inside the fire limits is contrary to Sec. 4.1.2 of Code, as proposed alteration is not within the scope of alteration permitted by Sec. 4.1.5."

and

WHEREAS, the building is one story (18 ft.) in height, 15 ft. by 83 ft. 10 in. in area; of Class 4 construction; equipped with a standpipe and sprinkler system; located in an unrestricted use A area district; erected prior to 1904, and occupied as a machine shop, 36 persons; and

WHEREAS, the applicant contends that it is proposed to remove the interior frame walls of the present one-story frame machine shop on the east side of the property; to remove the one-story frame machine shop on the west side of the property; to remove the present wooden columns and to replace same with steel columns; to erect a steel frame roof covering the area between the buildings, thus connecting both buildings and providing a 12 ft. by 12 ft. exit on the north end and a 13 ft. by 15 ft. exit on the south end; that the extension will be 100 per cent. sprinklered and be provided with a concrete floor on grade; that the proposed alteration will give additional floor area, thus eliminating congestion in the present machine shops; that the proposed extension will also avoid the necessity of employees being exposed to inclement weather in passing between the buildings; that the removal of the frame side walls and wooden columns and the replacement with steel columns will reduce the fire hazard; that the extension is required to take care of an increase in business.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Plan 2500-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the construction as shown on such plan, *on condition* that in all other respects the construction shall comply with the requirements of the Building Code therefor; that the standpipe and the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

587-40-A.

APPLICANT—Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—North side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Carl Hartzelius.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(587-40-A)

WHEREAS, Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, City of New York, owner, filed June 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent of buildings, on Fire Prevention Application 167-40, dated May 14, 1940, reads:

"1. Capacity of tank exceeds allowable 550 gallons. C19-69.0."

and

WHEREAS, the building is one story (20 ft.) in height, 133 ft. by 114 ft. in area; of Class 1 construction; equipped with a sprinkler system; erected in 1934; located in a residence use D area district; occupied as a garage and repair shop; and

WHEREAS, it is proposed to install a 2,000-gallon gasoline tank to service various motor vehicles in conjunction with the operation of the penitentiary on Riker's Island; and

WHEREAS, the applicant contends that the institution requires approximately 1,500 gallons of gasoline per week; that the installation of a smaller tank would require more frequent deliveries which would overtax the present inadequate ferry service and place a burden on the staff required for policing the oil trucks during their additional trips to the penitentiary.

Resolved, that the decision of the borough superintendent of buildings, on Fire Prevention Application No. 167-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the thickness of metal in the tank shall comply with the requirements of the Oil Burner Rules of the Board of Standards and Appeals therefor, and that in all other respects the tank and installation shall comply with the requirements of the Administrative Code.

610-40-A.

APPLICANT—H. I. Feldman, for Martel Manor, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—336-342 East 52nd street, south side, 150 ft. west of First avenue (Block No. 1344, Lot Nos. 33, 34, 34½ and 35), Borough of Manhattan.

APPEARANCES—

For Applicant: H. I. Feldman and S. L. Alderman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(610-40-A)

WHEREAS, H. I. Feldman, for Martel Manor, Incorporated, owner, filed June 7, 1940, an appeal from a decision of the borough superintendent of buildings; premises 336-

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342 East 52nd street, south side, 150 ft. west of First avenue (Block No. 1344, Lot Nos. 33, 34, 34½ and 35), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 125-40, dated June 7, 1940, reads:

"1. The height of building to pent house roof exceeds 75 ft. A standpipe is apparently required under Sec. 16.1.1, sub. A-2 of Building Code."

and

WHEREAS, the building is eight stories and pent house (75 ft.) in height to top of main roof beams, 80 ft. by 82 ft. 11 in. in area; of Class 1 construction; located in a residence use B area district; to be occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that in the absence of a specific definition in the Building Code as to the height of a building, the definition contained in the Multiple Dwelling Law and the building zone resolution, that the height be measured to the main roof beams, should prevail, especially in view of the provisions of section C-26.2.0 of the Administrative Code; that the building is of Class 1 construction, although permitted to be of Class 2 construction; that the area of the building is but 5,894 sq. ft.; that it is requested that the Board interpret the Administrative Code that the height of the building is 75 ft., or in lieu thereof grant a variance, in view of the small area of the building and the fireproof construction thereof, and the fact that the building will comply with the provisions of the Multiple Dwelling Law and the building zone resolution as to height; and

WHEREAS, in the opinion of the Board the top story is not a pent house and should be included in figuring the total height of the building, in which case the standpipe system is required, and there appears to be no justification under practical difficulties and unnecessary hardship to justify a waiver of the law.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 125-40, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

613-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—80-08 and 80-12 190th street, west side, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens.

APPEARANCES—

For Applicant: William M. Adelman.

For Administration: M. O. Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(613-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed June 7, 1940, an appeal from decisions of the borough superintendent of buildings; premises 80-08 and 80-12 190th street, west side, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Jamaica Estates East, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 3080-40, dated May 20, 1940, reconsideration of which was denied June 6, 1940, reads:

"The erection of a frame building in a business zone is contrary to the Building Code. (Sec. 4.1.1 and 4.1.2)."

and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 3182-40, dated May 28, 1940, reconsideration of which was denied June 6, 1940, reads:

"1. Frame construction within fire limits contrary to Sec. 4.1.2 of Building Code."

and

WHEREAS, the premises consist of a plot 80 ft. by 100 ft. in area; it is proposed to subdivide the plot into two separate lots and to erect on each lot a 2½-story dwelling, 26 ft. 6 in. by 33 ft. 6 in. and 30 ft. 2 in. by 34 ft. 2 in., respectively, in area; to be of Class 4 construction; each to be occupied as a one-family dwelling; and

WHEREAS, the applicant contends that the use of this street for business is impractical inasmuch as there is sufficient business streets in the neighborhood; that to leave the plot unbuilt upon would constitute an eyesore and a detriment to the neighborhood; that the proposed buildings will be surfaced on the exterior with 4 in. of brick veneer on the first story and stucco or brick at the second story; that the roofs will be surfaced with slate; that the distances between buildings will be not less than 10 ft.; that these buildings will be similar in design to buildings constructed on the balance of the block; that the property on the south side of Union Turnpike within the business use zone, owned by the applicant, between the east side of 189th street and the west side of 193rd street, has been restricted to residence use in accordance with covenants and restrictions filed November 28, 1939, in the office of the Register of Queens County.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. No. 3080-40 and also N.B. Applic. No. 3182-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the residence building shall be restricted to the occupancy of one family and the garage accessory thereto; that the requirements of the zoning resolution for an F residential area district shall be complied with, except as to side yards, and the distance between the building on this plot and the adjoining building shall be not less than 10 ft.; that in all other respects the building shall comply with the requirements of the Building Code for buildings erected outside of the fire limits and in accordance with the statement attached to this appeal, and that the garage shall not be erected nearer than 1 foot to any lot line.

1184-39-A.

APPLICANT—Slee and Bryson, for Ridgelawn Homes, Incorporated, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar on new proposal and new decision—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (under section 36, General City Law—re building fronting on a proposed private street).

APPEARANCES—

For Applicant: C. E. Blomberg.

ACTION OF BOARD—Appeal reopened and set for hearing July 2, 1940, at 2 P.M., to permit the necessary publication of notice.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

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1499-39-A.

APPLICANT—Antonio Garone, owner (Charles Luciano, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—46 Maujer street, south side, 25 ft. west of Lorimer street (Block No. 2791, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Brody.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Assistant Chief McCarthy 2

185-37-A.

APPLICANT—Ellwyn F. Hayslip, for Marie A. Dury, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—81-64 Dongan avenue, south side, 31.38 ft. west of Poyer street (Block No. 1540, Lot No. 38), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Ellwyn F. Hayslip.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(185-37-A)

WHEREAS, Ellwyn F. Hayslip, for Marie A. Dury, owner, filed April 27, 1937, an appeal from a decision of the commissioner of buildings; premises 81-64 Dongan avenue, south side, 31.38 ft. west of Poyer street (Block No. 1540, Lot No. 38), Elmhurst, Borough of Queens; and

WHEREAS, this appeal was granted by the Board July 13, 1937, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the resolution adopted by the Board on July 13, 1937, be and it hereby is amended, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a term of three (3) years from the date of this amended resolution."

VARIATION OF THE LABOR LAW.

306-40-S.

APPLICANT—Central Hanover Bank and Trust Company, owner.

SUBJECT—Variation of the labor law as cited in an order of the borough superintendent of buildings and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—10-14 West 47th street, south side, 185 ft. 9 in. west of Fifth avenue (Block No. 1262, Lot Nos. 45 and 47), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy 4
Negative 0

APPLIANCE SUBMITTED FOR APPROVAL.

1493-22-SA.

APPLICANT—Modern Utilities Engineering Company, for Gilbert and Barker Manufacturing Company, owner.

SUBJECT—Application for consideration—amendment of resolution—re approval of Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, AIM and AFM (Ballard Low Pressure Mechanical Oil Burner, previously approved).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1493-22-SA)

WHEREAS, Ballard Oil Equipment Company, owner, filed November 10, 1922, an application with the Board of Standards and Appeals for approval of the device known as the Ballard Low Pressure Mechanical Oil Burner; and

WHEREAS, this device was approved by the Board May 13, 1924, on certain conditions; and

WHEREAS, the applicant requested approval of additional models; and

WHEREAS, the application was reopened and these additional models referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 1493-22-SA.

Subject: Amendment of resolution to include Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM.

Under date of May 13, 1924, the Board of Standards and Appeals approved the Ballard Low Pressure Mechanical Oil Burner for use with Grade A oil. Request was made for reopening of this application and the application has been reopened. The papers have now been completed and an inspection and test of the burner, Model DPH, Automatic No. 6, has been made at 145 West 45th street.

The models submitted are similar in construction to the burner approved by the Board and they have been approved by the Underwriter's Misc. Pet. No. 599, Appl. No. 38 C2945 A, July 12, 1939.

These burners are mechanical draft domestic oil burners for installation in hot water or steam boiler or warm air furnaces. The assembly consists of a Gilbert & Barker 1/2 to 1 1/2 horsepower motor, a Gilbert & Barker Pump 25 to 150 gallons per hour; a Webster transformer, gas electric ignition, a Minneapolis Honeywell solenoid gas valve, a Gilbert & Barker fan. Taco Belar Water Line Preheater and a Wells Electric Automatic auxiliary preheater, Models AAPA, ABPA, ADPA, AFPA, BPA, DPA, FPA and HPA use No. 5 oil and

Models AAPH, ABPH, ACPH, ADPH and AFPH use No. 6 oil with preheaters and are automatically controlled.

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Models AHPM, AAM, ABM, ACM, ADM and AFM use No. 6 oil with preheaters and are automatically controlled.

Models ABPM, ACPM, ADPM and AFPM are pump type, using No. 6 oil with preheaters and are manually controlled.

The automatic controls used consist of:

Minneapolis Honeywell Protecto Relay R161.

Pressuretrol—404.

Thermostat—T 11.

Aquastat—L 416.

High and Low Flame Control—905 under Potentiometer Pressuretrol High and Low flame—McDonald & Muller No. 67 Low water cut-off or Minneapolis.

The burners differ from those originally approved by the Board only as to changes in controls and housing.

On the basis of the tests it is recommended that the above-mentioned models of the Ballard Low Pressure Oil Burner be approved for use in commercial and industrial installations with fuel oil not heavier than No. 5 unheated and No. 6 preheated U. S. Department of Commerce standard grade, on condition that the burners be installed and operated in accordance with the Oil Burner Rules of the Board of Standards and Appeals, and it is further recommended that the burner be allowed to be marketed under the name "Gilbarco" and "Esso" on condition that under whichever name marketed the appliance brand label permanently affixed shall read: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 1493-22-SA."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution to include approval of these additional models, and to permit this appliance to be marketed under the names "Gilbarco" and "Esso".

Resolved, that the resolution adopted by the Board on May 13, 1924, be amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Ballard Low Pressure Mechanical Oil Burner, also known as the 'Gilbarco' and 'Esso' Oil Burner. Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM, on condition that the appliance be manufactured, installed, and labeled, stamped or tagged in accordance with above report."

MATERIALS SUBMITTED FOR APPROVAL.

139-40-SM.

APPLICANT—Sloan Valve Company, owner.

SUBJECT—Sloan V 100-B ½ Inch and ⅜ Inch I.P.S. Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(139-40-SM)

WHEREAS, Sloan Valve Company, owner, filed February 2, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Sloan V 100-B, ½ Inch and ⅜ Inch I.P.S. Vacuum Breaker; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 10, 1940.

Re: Cal. No. 139-40-SM.

Subject: Sloan V 100-B, ½ Inch and ⅜ Inch I.P.S. Vacuum Breaker, approval of.

The Sloan Valve Company, owner, filed February 2, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Sloan V 100-B, ½ Inch and ⅜ Inch I.P.S. Vacuum Breaker under the provisions of C26-1277.0.h (14.8.2.8) Administrative Building Code.

The material was tested at the vacuum bench of the Department of Water Supply, Gas and Electricity at 32 Vandewater street, New York City, in the presence of representatives of the owner, the Department of Water Supply, Gas and Electricity and the Board of Standards and Appeals on April 12, 1940.

This unit is designed for general use under pressure. The mechanical principle of the unit is that the casting providing the waterway at a 90-degree angle is fitted with an inner tube in which is hung a hard rubber disc supported by a bakelite float which, under internal hydrostatic pressure, opens the waterway and closes the air port opening in the tube. A second shutoff of the air port is afforded by a hollow tubular disc fitted into the inner tube which, when any internal pressure escapes past the swing check, rises against a rubber-seated air port at the top of the casting. This unit was subjected to a vacuum the equivalent of 28 degrees of mercury without drawing any simulated contaminated water from a pail into which the outlet piping from the unit was submerged. This unit was also subjected to a duration test of vacuum the equivalent of 26 degrees of mercury for a period of five minutes without raising any simulated contaminated water. The unit was also subjected to a low pressure test of two pounds under which condition it functioned perfectly, not permitting the escape of any water through the air port opening.

On the basis of these tests it is recommended that the Sloan V 100-B Vacuum Breaker in sizes of ½ inch and ⅜ inch be approved for use in New York City under the provisions of C26-1277.0.h (14.8.2.8) Administrative Building Code on condition that each be stamped, labeled or marked, reading as follows:

"Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 139-40-SM", or in lieu thereof a die or stamp be made (and stamped or labeled on article, container, bag, box, bundle or cask) bearing the following inscription within a circle: around the periphery, at the top, the word "APP'VD.", along the bottom, "B.S. & A.", in the center, two lines, upper line reading "N.Y.C.", lower line reading "Cal. 139-40-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

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Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Sloan V 100-B, ½ Inch and ¾ Inch I.P.S. Vacuum Breaker, *on condition* that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

264-40-SM.

APPLICANT—Contractors Products Company, for Standard Column Company, owner.

SUBJECT—Standard Concrete Filled Steel Column, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(264-40-SM)

WHEREAS, Contractors Products Company, agent, for the Standard Column Company, owner, filed March 8, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Standard Concrete Filled Steel Column; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 264-40-SM.

Approval of Standard Concrete Filled Steel Column.

The Contractors Products Company, agent, for Standard Column Company, owner, filed March 8, 1940, an application with the Board of Standards and Appeals for approval of the Standard Concrete Filled Steel Column under the provisions of C26-191.0 (2.2.3) Administrative Building Code.

These columns consist of a standard mill steel hollow shell pipe 4" O.D.—0.226 in. thick, 4½" O.D.—.237 in. thick, and from 6 ft. to 15 ft. in length, filled with a mixture of concrete consisting of one part Portland cement, one and one-half parts washed sand and three parts crushed stone with two gallons of water per bag of cement and vibrated to completely eliminate voids.

Samples of these columns, one of the lightweight type 4 in. in diameter and one heavyweight type 4½ in. diameter were tested at Columbia University with the following results:

Material	Concrete filled column	
How Tested	On end	
Bedded	Between steel plates	
Diameter	4.50	3.98
Height	15 ft.	9 ft. 11 in.
Area (thickness of shell)	0.240	0.185
Maximum Load	129,000	83,000
lbs. sq. in.		
Failure by	— bending	

The cap and base are of structural steel 6 in. by 6 in. by ¼ in. The 4 and 4½ in. columns welded to column shells and with four holes bored in plate for fastening. The column is painted with two coats of metallic red paint.

The table of loads based on standard tests and within the Columbia Test Results are as follows:

Diameter of Column	Weight Per Ft. in Lbs.	Thickness of Steel	Area of Concrete Sq. In.	(Safe Load in Tons)									
				6	7	8	9	10	11	12	13	14	15
4"	20	0.226	9.89	24	23	21	20	18	16	15	14	....	....
4½"	24	0.237	12.73	30	29	28	26	24	22	21	19	17	16

As a result of these tests it is recommended that the Standard Concrete Filled Steel Column filled with concrete of a mix as described herein, in sizes 4 in. and 4½ in., be approved for use in New York City in one-story buildings only for concentric loads and in lengths not exceeding 15 ft. in accordance with the approved table of loads, on condition that the column when installed be firmly secured top and bottom on bearings of a type as described herein, with bolts or rivets through holes in plates. All welding shall conform to the requirements of the Rules for Fusion Welding of the Board of Standards and Appeals. Each column shall be marked "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 264-40-SM" and all pipe columns and labeling shall be subject to inspection by the Department of Housing and Buildings.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Standard Concrete Filled Steel Column, *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

266-40-SM.

APPLICANT—California Stucco Products Company of New York, owner.

SUBJECT—Stuoustic Acoustical Plaster, approval of.

APPEARANCES—

For Applicant: Harry A. Spiegler.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(266-40-SM)

WHEREAS, California Stucco Products Company of New York, owner, filed March 11, 1940, an application with the Board of Standards and Appeals for approval of the material known as Stuoustic Acoustical Plaster; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 10, 1940.

Re: Cal. No. 266-40-SM.

Subject: Stuoustic Acoustical Plaster.

The California Stucco Products Company of New York filed on March 11, 1940, an application with the Board of Standards and Appeals for the approval of their material as a substitute for the usual finish coat of plaster on partition required to have a fire-resistive rat-

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ing. Claims are also made that the material has properties of absorbing sound.

Stuoustic Acoustical Plaster is composed of graded pumice stone, asbestos, hydrated lime, Keenes cement, mineral coloring materials, wood fibres and a chemical which effervesces and provides a porous material which has acoustical properties as given in a table below. This plaster finish is applied over the usual brown coat in a thickness of not less than one-half inch.

This plaster was subjected to a forty-minute fire test at Columbia University, Report No. 2499, in the form of a ceiling panel $31\frac{1}{2}$ in. x $31\frac{1}{2}$ in. constructed of 2 in. x 4 in. studding with an intermediate stud in the center of the panel. This was covered with 3.4 pound metal lath and the usual scratch and brown coats of sanded gypsum plaster were applied. The panel was then coated with one-half inch of Stuoustic Acoustical Plaster and then subjected to the fire test. This test was in accordance with the Standard Time Temperature Curve except that the time intervals were halved so that 1,700 degrees Fahrenheit was reached in thirty minutes and held there for the additional ten minutes of the test. The coating became calcined and pliable for a depth of one-quarter inch. The remaining thickness of the finish coating and the scratch and brown coats showed no effects of the exposure.

Sound absorption tests on a panel made up of metal lath gypsum scratch and brown coats covered with two coats of Stuoustic Acoustical Plaster applied first in a thickness of one-half inch over the brown coat, the second coat increased the thickening to three-quarters inch. This test was made by the Bureau of Standards, Department of Commerce, Report V12/TN 73858 with results as follows:

Frequency	Coefficient of Stuoustic $\frac{3}{4}$ " Thick
128	.18
256	.36
512	.65
1,024	.65
2,048	.62
4,096	.62

On the basis of the foregoing data it is recommended that Stuoustic Acoustical Plaster as made by the California Stucco Company of New York be approved as an acoustical plaster in thickness of three-quarters inch under C26-191.0 (2.2.3) and as a substitute for the usual white finish coat of plaster on partitions and ceilings required to have a fire-resistive rating when applied in a thickness of at least one-half inch over the brown coat under C26-464.0 (8.4.10.8) and C26-637.0b (10.4.3.2).

It is further recommended that each bag of this material be tagged, labeled or marked: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 226-40-SM" when used in thickness and for uses as prescribed therein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Stuoustic Acoustical Plaster, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

501-40-SM.

APPLICANT—Barney Goldman, for Superior Skylight Company, Incorporated, owner.

SUBJECT—Superior Skylight Company, Incorporated, Invisible Gravity Ventilator, approval of.

APPEARANCES

For Applicant:: Barney Goldman.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(501-40-SM)

WHEREAS, Superior Skylight Company, Incorporated, owner, filed May 10, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Superior Skylight Company, Incorporated, Invisible Gravity Ventilator; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 10, 1940.

Re: Cal. No. 501-40-SM.

Subject: Superior Skylight Company, Incorporated, Invisible Gravity Ventilator.

The Superior Skylight Company, Incorporated, owner, filed May 10, 1940, an application with the Board of Standards and Appeals for approval of the Superior Skylight Company, Incorporated, Invisible Gravity Ventilator under the provisions of C26-720. C-7 (12.1.5) and C26-724.0 (12.4) of the Administrative Building Code.

This device was inspected and tested by a committee of the Board at the new auditorium of Hunter College on 69th street near Lexington avenue, New York City, on May 29, 1940.

Section C26-724.0 subdivision b of Article 13, Administrative Code, Section C26-720.0 subdivision C-7 (Section 12.4 of Article 12 of the Building Code) Special Occupancy Structures, requires that a skylight over a stage shall have ventilators of an approved type arranged to open by an automatic device and by cutting of a fibre cord.

The Invisible Gravity Ventilator consists of a skylight glazed with plain glass complying in all respects with C26-724.0 (12.4) (see Fig. 1) with protecting screens (over and under) and has ventilating sections consisting of gravity-operated sash around the perimeter of the skylight that will operate on the parting of a fusible link, set to melt at 165 degrees Fahrenheit or to a skylight complying with Section C26-720.C (12.1.5.7) Administrative Building Code.

Inspection of device and checking of diagrams submitted show that the manual operation of the skylights is by steel cable from each ventilator sash to a fusible link. A steel cable continuing through freely working pulleys to position over operating point and thence perpendicular to the operating point. A steel cable is connected to an eight foot length of flat link chain equipped with turnbuckle to allow for expansion and contraction in length. Flat link chain hooks are placed into notches of control board which in turn is connected to a fibre cord which may be readily cut.

As a result of this inspection and test it is recommended that the Superior Skylight Company, Incorporated, Invisible Gravity Ventilator be approved for use in New York City in buildings of special occupancy under Art. 13, Sect. C26-724.0, Subdiv. 6, and C26-

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720.0, subdiv. C-7 of the Administrative Code, when constructed, installed and operated in accordance with the Code and with this report (see Fig. 1), on condition that each ventilator bear a label reading, "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 501-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Superior Skylight Company, Incorporated, Invisible Gravity Ventilator, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

Adjourned, 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eighths (¾) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less—¼ in. shell, ⅛ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.

Tanks over 120 in. in diameter to be of ¾ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$P \times r \times F$$

t equals—

$$T \times E$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5 5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
- Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (¾") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches (1¼") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furot at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic when operating,

shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump	763-25-SA
American Marsh Simplex	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros Durable Duplex	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump	628-32-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
Deming Double Oscillating Force Pump	458-27-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Fuel Oil Pump	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB,	
Enterprise Oil Pump	11-28-SA	77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
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Koerting Gear Pump	1264-25-SA	Viking	433-21-SA
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 26

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLAGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communication to the Chairman.

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Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

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660-40-A.....H.B.Bx...678 East 232nd street, south side, 180.20 ft. west of White Plains avenue (Block No. 4834, Lot No. 82), Borough of The Bronx, Alt. 470-40.

661-40-SM.....Mar-Coil Fill and Vent Box, manufactured by Mar-Coil Heater Company, Material.

662-40-A.....H.B.B.....252 Varet street and 25 Bogart street, south west corner (Block No. 3118, Lot No. 16), Borough of Brooklyn, Alt. 4949-39.

663-40-SM.....Better Built One Hour Hollow Metal Door, manufactured by Superior Steel Door and Trim Company, Inc., Material.

664-40-A.....F.D.....42-13 Orchard street, south side, 75 ft. east of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens, Decision—re 82804-L.C.

665-40-A.....F.D.....500 Broome street, northeast corner of West Broadway (second, third and fourth stories); (Block No. 487, Lot No. 7), Borough of Manhattan, 22047-L.C.

666-40-S.....F.D.....275 Miller avenue, east side, 100 ft. north of Glenmore avenue (Block No. 3977, Lot No. 1), Borough of Brooklyn, 4451-L.F. and Decision.

667-40-SM.....Pioneer Portland Cement, manufactured by National Portland Cement Company, Material.

668-40-A.....H.B.Bx...3187 East Tremont avenue, east side, 48.75 ft. north of Waterbury avenue (Block No. 5351, Lot No. 8), Borough of The Bronx, Alt. 352-40.

669-40-SM.....Hood and Goodrich Rubber Tile Flooring and Hood and Goodrich Murogomme Wall Covering, manufactured by Hood Rubber Company, Inc., Material.

670-40-A.....H.B.Q.....89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens, Alt. 1412-39.

671-40-SM.....Colonial Sand and Stone Co., Inc., Crushed and Graded Cinders, manufactured by Colonial Sand and Stone Co., Inc., Material.

672-40-BZ....H.B.B.....413-419 Empire boulevard and 458-464 New York avenue, southwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn, N.B. 2608-39.

673-40-A.....H.B.B.....32-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under section 35. General City Law—re Bed of Mapped Street), N.B. 1401-40.

674-40-S.....H.B.M.....333-337 Sixth avenue and 2-8 Cornelia street, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan, Alt. 2650-39.

675-40-BZ....H.B.M.....1233 Second avenue, west side, 75 ft. 5 in. south of East 65th street (Block No. 1419, Lot No. 25), Borough of Manhattan, Alt. 241-40.

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678-40-A.....H.B.Q.....73-04 and 73-10 186th street, southwest corner of 73rd avenue (Block No. 7173, Lot No.

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682-40-SA.....Westinghouse Type BC Interlock, Appliance.

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685-40-SM.....Stark Brictile, Stark Tribrik and Stark Sixbrick (Glazed Brick and Tile), manufactured by Stark Brick Corporation, Material.

686-40-SM.....Vitgrigranite, Perma-Chrome and Vitri-Face (Glazed Brick and Tile), manufactured by Claycraft Company, Inc., Material.

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JUNE 25, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, June 25, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 410-31-BZ—Application of Rudolph B. Weiss, applicant, on behalf of Lakeville Road Service Station, Incorporated, owner, reopened May 28, 1940—re consideration as to extension of permit and extension of time to complete work—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the alteration and maintenance of a gasoline service station for a temporary period; premises 175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway and 83.78 ft. east of 175th street (Block No. 2661, Lot No. 26), Flushing, Borough of Queens.

CAL. NO. 350-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of Warden H. Fenton, applicant, Director, Bureau of Architecture, Department of Public Works, on behalf of City of New York, owner, to permit in a residence use district and, also, "E" area district, the erection and maintenance of a building (Fire House) not complying with "E" area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

CAL. NO. 780-27-BZ—Application of Edgar Palmieri, applicant, on behalf of Garbo Garage Corporation, owner, reopened April 16, 1940, under section 21 of the building zone resolution, to permit in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

CAL. NO. 272-26-BZ—Application of Lama and Proskauer, applicants, on behalf of Maned Realty

Company, Incorporated, owner (Harry Roisman, lessee), reopened April 30, 1940, for rehearing on a new proposal, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied—re erection of a gasoline service station); premises 555-563 Atlantic avenue, north side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn.

CAL. NO. 368-40-BZ—Application, April 8, 1940, under sections 7c and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Plaza-Circle Corporation, owner (Edward Nolan d/b/ as Plaza View Garage, lessee), to permit, partly in a residence use district and partly in a business use district, the alteration and conversion of occupancy of part of an existing building from garage for more than five (5) motor vehicles to store use, and from carriage house and stable for more than five (5) horses to garage for more than five (5) motor vehicles; premises 2-14 Plaza street and 405-413 Flatbush avenue, northeast corner (Block No. 1169, Lot No. 1), Borough of Brooklyn.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

CAL. NO. 349-40-BZ—Application, April 5, 1940, under sections 7h and 21 of the building zone resolution, of Jacob J. Schwebel, applicant, on behalf of New York, New Haven and Hartford Railroad Company, owner (Cousins Realty Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx.

CAL. NO. 327-40-BZ—Application, April 1, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on be-

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half of Oxford Development Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10, and part of Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 336-40-BZ—Application, April 3, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 25, 1940, 2 P. M.

Appeals from Administrative Decisions.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

383-40-A—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

124-40-A—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

550-40-A—786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn.

615-40-A—2035 Flatbush avenue, northeast corner of Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn.

570-40-A-WF—109-23 World's Fair (Horace Harding) boulevard, northwest corner of Waldron street (Block No. 1969, Lot Nos. 7-9 and 11), Corona, Borough of Queens.

458-40-A—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

459-40-A—32-05 215th street, east side, 245.76 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

858-39-A—850 Richmond terrace, south side, from Tysen street to Kissel avenue (Block No. 76, Lot No. 1), Livingston, Borough of Richmond.

226-40-A—95-14 106th street, west side, 175 ft. south of 95th avenue (Block No. 9287, Lot No. 15), Ozone Park, Borough of Queens.

438-40-A—1009 Winthrop street, south side, 75 ft. west of 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.

634-40-A—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street, south side, 105 ft. east of Court street (Block No. 476, Lot No. 6), Borough of Brooklyn.

577-40-A—721-723 Seventh avenue and 169 West 48th street, northeast corner (Block No. 1001, Lot No. 1), Borough of Manhattan.

621-40-A—17 East 65th street, north side, 89 ft. west of Madison avenue (Block No. 1380, Lot No. 13), Borough of Manhattan.

655-40-A—1-9 West 3rd street, northeast corner of Mercer street (Block No. 535, part of Lot No. 43), Borough of Manhattan.

654-40-A—1017 Avenue "K", north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.

656-40-A—38-42 Second avenue, west side, 6th street Basin, Gowanus Canal (Block No. 990, Lot No. 1), Borough of Brooklyn.

660-40-A—678 East 232nd street, south side, 180.20 ft. west of White Plains avenue (Block No. 4834, Lot No. 82), Borough of The Bronx.

593-40-A—South side of Cherry avenue, 92 ft. east of Kissena boulevard (Block No. 5192, driveway part of Lot No. 34 and inside part of Lot No. 27), Flushing, Borough of Queens.

195-40-A—1741 Victory boulevard, northwest corner of Winthrop place (Block No. 350, Lot No. 1), West Brighton, Borough of Richmond.

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493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

603-40-A—269 Avenue "C", west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

606-40-A—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

616-40-A—55 Fifth avenue, northeast corner of East 12th street (Block No. 570, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

624-40-A—90-36 198th street, west side, 300 ft. south of 90th avenue (Block No. 10466, Lot No. 56), Hollis, Borough of Queens.

Variations of the Labor Law.

205-40-S—149 West 27th street, north side, 205.4 ft. east of Seventh avenue (Block No. 803, Lot No. 11), Borough of Manhattan.

674-40-S—333-337 Sixth avenue and 2-8 Cornelia street, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, June 25, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 235-37-BZ—Application of 3331 Fish Avenue Corporation, applicant and owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

CAL. NO. 289-34-BZ—Application of Wrenn and Schmid, applicants, on behalf of Edith J. Potter, owner, reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7a of the building zone resolution, permitting in a residence use district the extension in area of an existing garage and automobile repair shop for a temporary period; premises 308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 2, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.

CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor

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vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 4, 1940, under new facts—reapportionment of lot, to permit in a business use district the extension of an existing gasoline service station (previously denied—re partly in a residence and partly in a business use district); premises 139-25 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

CAL. NO. 384-40-BZ—Application, April 12, 1940, under section 7h of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan.

CAL. NO. 763-38-BZ—Application of Herman Kron, applicant, on behalf of New York Telephone Company, owner (Jacob Goldstein, lessee), reopened October 17, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 728-732-744 Second avenue, east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

CAL. NO. 163-40-BZ—Application, February 9, 1940, under sections 7h and 21 of the building zone resolution, of Louis R. Patur, applicant, on behalf of Beck-Brown Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5)

motor vehicles; premises 282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn.

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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JULY 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law, re building fronting on a proposed private street).
- 333-40-A—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (under Section 35, General City Law—re Bed of Mapped Street).
- 354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.
- 263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.
- 581-40-A—315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.
- 665-40-A—500 Broome street, northeast corner of West Broadway (2nd, 3rd and 4th floors); (Block No. 487, Lot No. 7), Borough of Manhattan.
- 209-40-A—92-17 to 92-19 Union Hall street, east side, 175 ft. south of Jamaica avenue (Block No. 10102, part of Lot No. 74), Jamaica, Borough of Queens.
- 688-40-A—371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan.
- 146-40-A—39 West 54th street, north side, 280 ft. east of Sixth avenue (Block No. 1270, Lot No. 12), Borough of Manhattan.
- 676-40-A—Blocks bounded by East 102nd street to East 105th street and between First avenue and East River drive (Block Nos. 1696, 1697 and 1698), Borough of Manhattan.
- 261-40-A—167 Delancey place, east side, 213 ft. north of Morris Park avenue (Block No. 4056, Lot No. 7), Borough of The Bronx.
- 677-40-A—73-03, 73-07 and 73-11 186th street, southeast corner of 73rd avenue (Block No. 7174, Lot No. 1), Flushing, Borough of Queens.
- 678-40-A—73-04 and 73-10 186th street, southwest corner of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

Variations of the Labor Law.

- 83-40-S—51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens.

551-40-S—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

637-40-S—154 East 23rd street, south side, 150 ft. west of Third avenue (Block No. 878, Lot No. 48), Borough of Manhattan.

JULY 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution, of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

CAL. NO. 25-34-BZ—Application of Nicholas Drogaris, applicant, on behalf of Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee), reopened May 28, 1940, under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret of a building previously extended and granted by the Board, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and sale of soda, ice cream, cigars, cigarettes and tobacco; premises 1188-1196 Ocean parkway and 515-529 Avenue "L", northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

CAL. NO. 407-40-BZ—Application, April 15, 1940, under sections 7a, 7c and 21 of the building zone resolution, of King and Lynch, applicants, on behalf of The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway

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(Block No. 7819, Lot No. 20), Borough of Brooklyn.

(Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 379-40-BZ—Application, April 12, 1940, under section 21 of the building zone resolution, of A. Robert Chananie, applicant, on behalf of Frieda Messinger, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 227-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of three (3) buildings to be used as hog pens; buildings to be used in conjunction with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 228-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a barracks used in connection with a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 229-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a slaughter house used in connection with a correctional institution; premises south side of Riker's Island, opposite Tiffany street

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 385-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3560 Netherland avenue and 566 West 236th street, southeast corner (Block No. 3409-G, Lot No. 492), Borough of The Bronx.

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- CAL. NO. 386-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3215 Arlington avenue, west side, 100.28 ft. north of West 232nd street (Block No. 3409, Lot Nos. 62 and 64), Borough of The Bronx.
- CAL. NO. 387-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3260 Netherland avenue, east side, 150 ft. south of West 235th street (Block No. 3409-B, Lot No. 148), Borough of The Bronx.
- CAL. NO. 388-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3225 Johnson avenue, west side, 214.73 ft. north of West 232nd street (Block No. 3409-B, Lot Nos. 177 and 179), Borough of The Bronx.
- CAL. NO. 389-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3259 Johnson avenue, west side, 116.67 ft. south of West 235th street (Block No. 3409-B, Lot Nos. 165 and 166), Borough of The Bronx.
- CAL. NO. 460-40-BZ—Application, May 1, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Lenox Gardens Building Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 68-12 Yellowstone boulevard, northwest corner of 68th road, west side of Yellowstone boulevard, from 68th road to 68th avenue (Block No. 2137, Lot Nos. 27, 29, 31, 33, 35, 39 and 43), Forest Hills, Borough of Queens.
- CAL. NO. 466-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Franklin Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 118-11 84th avenue, northwest corner of Lefferts boulevard (avenue) and northeast corner of 84th avenue and 118th street (Block No. 3322, Lot No. 135), Kew Gardens, Borough of Queens.
- CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a business use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.
- Appeal from Administrative Decision.*
- 670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.
- HARRIS H. MURDOCK, *Chairman.*
- JULY 9, 1940, 2 P. M.**
- Appeal from Administrative Decision.*
- 658-40-A—71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).
- JULY 12, 1940, 10 A. M.**
- Appeal from Administrative Decision.*
- 554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.
- Rules.*
- 639-40-SR—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

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JULY 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 16, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 417-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of Victor Greiff, applicant, on behalf of Helen Greiff and Lotti J. Greiff, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a one-car garage, accessory to the dwelling on the premises; said garage does not conform with the "G" area requirements of the building zone resolution; premises 159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Rockaway Beach (Neponsit), Borough of Queens.

CAL. NO. 485-40-BZ—Application, May 7, 1940, under section 7b of the building zone resolution, of Emanuel M. Glick, applicant, on behalf of Methill Realty Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

CAL. NO. 421-40-BZ—Application, April 24, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of W. Goadby Loew and United States Trust Company of New York, trustee of Estate of Charles F. Rowe, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

CAL. NO. 415-40-BZ—Application, April 22, 1940, under sections 7b and 7c of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

CAL. NO. 193-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution and section 60 of the Multiple

Dwelling Law, of A. Paul Loshen, applicant, on behalf of Charles Weber, owner, to permit in a residence use district the erection and maintenance of a garage for more than three (3) motor vehicles erected on the premises appurtenant to a multiple dwelling; garage space is for the use of tenants only; premises 175-35 Dalny road, northwest corner of Highland avenue (Block No. 9884, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 555-27-BZ—Application of Conroy and Hardy, applicants, on behalf of Elizabeth W. Herinan, owner, reopened February 14, 1940, under alleged new facts, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Properties, Incorporated, owner, reopened May 9, 1939, for rehearing by order of the court, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 1447-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Marie Hediger, owner, to permit in a business use district the

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erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens.

CAL. NO. 814-28-BZ—Application of William Reich, applicant, on behalf of John Cestaro, Patrick LaTrace and Joseph Cestaro, owners, reopened October 24, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station (said gasoline service station previously granted by the Board); premises 796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

CAL. NO. 436-40-BZ—Application, April 25, 1940, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Mollie Schorr, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 465-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Samuel Gardstein, applicant, on behalf of Madison Arms, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 118-60 Metropolitan avenue, south side, 180.14 ft. west of Leferts boulevard (avenue); (Block No. 3322, Lot No 25), Kew Gardens, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance

of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

673-40-A—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under Section 35, General City Law—re Bed of Mapped Street).

689-40-A—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October*

CALENDAR

15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JUNE 18, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, May 21, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, May 21, 1940, were approved as printed in Bulletin No. 22, Vol. 25.

BUILDING ZONE CASES.

855-27-BZ.

APPLICANT—Shell Oil Company, Incorporated (lessee), for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new facts December 5, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance and reconstruction of a gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Richard Levy.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1940, at 10 A.M., on request of applicant.

562-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1938 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to July 16, 1940, at 10 A.M., for decision by the Board.

1232-39-BZ.

APPLICANT—Martyn N. Weinstein, for Beech Haven Estates, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Martyn N. Weinstein.

For Opposition: Bertram Schwartz, Henry Patent, Joseph Schlesinger and H. F. Murway.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., pending investigation as to school status.

5-40-BZ.

APPLICANT—Jacob Muskin, for Abraham D. Van Sicken, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal.

PREMISES AFFECTED—89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Muskin, Sol Lipman and Royal E. Dalrymple.

For Opposition: Alexander Sussman and Roslyn Schachne.

Unopposed Owner: E. J. Helmick.

ACTION OF BOARD—Laid over to July 9, 1940, at 10 A.M., for further consideration by the Board.

165-40-BZ.

APPLICANT—Thomas J. Kelaher, owner.

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SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1324 Crosby avenue, east side, 150 ft. south of La Salle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Thomas J. Kelaher.

For Opposition: None.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

183-40-BZ.

APPLICANT—Benjamin W. Levitan, for Cimiez Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin W. Levitan.

For Opposition: None.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., for decision by the Board.

207-40-BZ.

APPLICANT—City Bank Farmers Trust Company, trustee.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7e of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Roy E. Gilson, R. B. Oltman, John Douglas, Albert J. Gurdano, Jr., Solomon Ginsberg and Philip Birnbaum.

For Opposition: Louis A. Jackson, Antonio Canavari, Edward G. Steinert, Thomas J. Langan, Humbert Fugazy, A. O. Orda, Francis J. Mahoney, and others.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board, without further argument.

215-40-BZ.

APPLICANT—Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment.

PREMISES AFFECTED—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James L. Percival.

For Opposition: William Weisman.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board.

289-40-BZ.

APPLICANT—William H. Fuhrer, for Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension in height of an existing bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., for decision by the Board.

1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application for consideration—new proposal, buildings relocated (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and John A. Larkin.

For Opposition: None.

ACTION OF BOARD—Application accepted as new proposal and set for hearing July 9, 1940, at 10 A.M.
THE VOTE TO ACCEPT AS NEW PROPOSAL AND SET FOR HEARING JULY 9, 1940—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application for consideration—new proposal, buildings relocated (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward L. Larkin and John A. Larkin.

For Opposition: None.

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ACTION OF BOARD—Application accepted as new proposal and set for hearing July 9, 1940, at 10 A.M.
THE VOTE TO ACCEPT AS NEW PROPOSAL AND SET FOR HEARING JULY 9, 1940—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

299-40-BZ.

APPLICANT—C. J. Johnson, for Young Men's Hebrew Association, owner (Northeast White Tower System, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Rayvid.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(299-40-BZ)

WHEREAS, C. J. Johnson (Northeast White Tower System, Incorporated, lessee), for Young Men's Hebrew Association, owner, filed March 25, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 35-43 Fourth avenue and 371-387 Dean street, northeast corner (Block No. 928, Lot Nos. 1 and 73 to 77, inclusive), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 18, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Dean street and Pacific street are in business and unrestricted districts; Fourth avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Application No. 142-40, dated March 18, 1940, reads:

"1. Parking and storage of more than 5 cars in a business district is contrary to Art. II, Sec. 4, Par. 15, Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Fourth avenue and 180 ft. on Dean street; on the southwest corner of the plot there is a one-story brick restaurant, 16 ft. by 25 ft. in area; it is proposed to use the remainder of the plot, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does

hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a term of two (2) years, to permit the unbuilt upon portion of the premises to be occupied for the transient parking of automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that the premises shall be leveled substantially to the grade of the surrounding streets, and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the interior lot lines, where substantial fences or buildings on the lot do not now exist, a woven-wire fence with steel posts, not less than 7 ft. in height; that a similar fence shall be erected on the street lines continuously along Fourth avenue from the northerly lot line to the existing restaurant building, and along Dean street from the existing restaurant building to the easterly lot line, except that there may be not over two (2) entrances exclusively from Dean street, such entrances to be not more than 20 ft. in width each, with curb cuts opposite of similar width; that during the term of this permit the premises shall be used for no other use than as herein permitted and the existing restaurant building, and no additional buildings shall be erected thereon, except that there may be erected a building not over one (1) story in height, not over 150 sq. ft. in area, and which may be of frame construction, for use as office and shelter for the attendant; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that any fence on the adjoining lot lines already constructed shall be kept painted toward the parking lot side in a dark color; that no signs shall be erected advertising the parking use, except that there may be a sign at each entrance attached to the fence and not extending beyond the building line, advertising such parking use, provided such signs do not exceed 15 sq. ft. in area; that the existing curb cuts not permitted by this resolution shall be restored; that substantial wooden or concrete bumpers shall be maintained along the line of fences and buildings to prevent damage thereto; that all existing lights for illumination shall be eliminated, and lighting, if desired, may be installed consisting of post standards erected toward the corners of the property, with lights equipped with metallic shades, and so arranged as to reflect toward the center of the premises and away from adjoining premises; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

347-40-BZ.

APPLICANT—Thomas W. Lamb, Incorporated, for the Bowery Savings Bank, and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7g and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry J. Williams.

For Opposition: Benjamin Gollay, Herman Grant, P. J. Growney and G. Wallace Bates.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

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THE RESOLUTION—

(347-40-BZ)

WHEREAS, Thomas W. Lamb, Incorporated, for the Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners, filed April 5, 1940, an application under sections 7g and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 18, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lexington avenue, East 46th street and East 47th street are in business and restricted retail use districts; Third avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 212-38, dated March 7, 1940, reads:

"1. Contrary to Sect. 4.15 Building Zone Resolution to use building or premises in a business district for a garage for more than five motor vehicles."

and

WHEREAS, the proposed building will be of fireproof construction, 200 ft. 10 in. on Lexington avenue, 220 ft. on East 46th street and 165 ft. on East 47th street, one story (and roof) in height; it is proposed to occupy the building on the first story as store and the remainder, including the roof, as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, a committee of the Board submitted a report recommending that the application be denied, which report reads as follows:

REPORT OF COMMITTEE.

June 17, 1940.

Re: Cal. No. 347-40-BZ.

Premises: 479-495 Lexington avenue, east side, block front between East 46th and East 47th streets, and 127-149 East 46th street and 130-136 East 47th street, Manhattan.

This application is for a zoning variance to permit the erection of a one-story building on the above-described premises, to be occupied by a garage on the street floor at the rear of the proposed stores to front on Lexington avenue. It is proposed to locate the garage exits and entrances on the side streets approximately 125 ft. east of the Lexington avenue building line and to install a ramp on the street floor for access to roof, so that the open roof may also be used for automobile storage, with a total capacity of 282 automobiles. It is proposed to omit large sections of the street line wall where the garage is proposed on the street floor, but to construct a parapet 8 ft. in height around the roof as a shield for the automobiles stored thereon. No servicing of automobiles is proposed.

The building would replace old structures, formerly single-family houses, which have been remodeled to permit business and which the owners claim no longer produce sufficient income to carry.

The application was brought under section 7, subdivision g, and section 21. At the hearing the application, insofar as it related to section 21, was withdrawn. Under section 7, subdivision g, 80 per cent. consents are required to permit the Board to exercise its discretion to grant. Consents according to the area set by the Board have been filed, totaling 80.2 per cent. of the

frontage. Objections have been filed by owners of eight properties and no expression of approval or disapproval has been received from others. The consents of the New York Central Railroad are conditioned upon the construction of the garage as proposed with no entrances or garage signs opposite their holdings on the westerly side of Lexington avenue, consisting of plots occupied by their office building, the Grand Central Palace, 277 Park avenue, and the Hotel Barclay.

The Board is familiar with the conditions in this area due to continuous study in connection with applications that have been presented, particularly with reference to the need for parking and storage of automobiles. The facts produced at the hearing confirm the Committee's belief that additional facilities are not now needed and that the proposed building, adding more facilities, would cause considerable loss to the existing garages. The unrestricted district where garages and parking facilities may be established as a matter of right is only 400 ft. east of the site. The Committee believes that the street congestion and noise consequent upon the proposed use would seriously impair existing property values, particularly the properties across the side streets and to the east, which would be most affected by the proposed open garage use, in view of the entrances located on the side streets. In such a congested area danger to pedestrians is apparent. In fact the adverse effect on residential properties of this kind would be greater than on buildings such as the Post Office, the New York Central Office Building, and the Grand Central Palace, devoted exclusively to business.

The Committee is of the opinion that a conforming business building, even if limited as a temporary expedient to one story, would be a far more desirable improvement in the area, thus eliminating the deteriorating influence of the proposed use on the surrounding realty, particularly the large hotel properties, such as the Lexington and Winthrop Hotels.

For these reasons, the Committee is of the opinion that the Board's discretion to grant the variance should not be exercised and recommends that the application be denied.

HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

JOHN J. MCCARTHY,

Committee.

and

WHEREAS, the Board deemed that it should not exercise its discretion to grant under section 7, subdivision g, of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

488-40-BZ.

APPLICANT—Joel D. Marder, for The Centrun Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district and two and one-half times height district the extension in height of an existing office building, the said extension in height not conforming with the height restrictions of the building zone resolution.

PREMISES AFFECTED—62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan.

APPEARANCES—

For Applicant: Joel D. Marder and Justin Grant.

For Opposition: None.

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ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(488-40-BZ)

WHEREAS, Joel D. Marder, for The Centrun Corporation, owner, filed May 7, 1940, an application under section 21 of the building zone resolution, to permit in a business use and two and one-half times height district the extension in height of an existing office building, the said extension in height not complying with the height restrictions of the building zone resolution; premises 62-70 Broadway, east side, 67 ft. 4¾ in. north of Exchange place, and 15-21 New street (Block No. 23, Lot Nos. 3 and 4), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 18, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway, New street, Exchange place and Wall street are in business use and two and one-half times height districts; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Application 1191-1940, dated April 22, 1940, reads:

"1. Building may not be increased in height as same is already above height limit. (Art. III, Sec. 9 Zone resolution."

and

WHEREAS, the building is of fireproof construction, eighteen stories (254 ft.) in height, with a frontage of 93 ft. on Broadway, 90 ft. on New street and a maximum depth of 125 ft. 2 in.; the eighteenth story of the existing bank and office building does not cover the entire area of the building; it is proposed to extend the area of the eighteenth story so as to cover the entire area of the building by the addition of an area having a length of 41 ft. 9 in., a height of 23 ft. 6 in. and a depth of 4.7 ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that the building shall not be increased further in height or area, and that in all other respects the building code, the building zone resolution and all other laws, rules and regulations applicable to the construction and occupancy shall be complied with.

APPEAL FROM ADMINISTRATIVE DECISION.

241-40-A.

APPLICANT—Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James L. Percival.
For Opposition: William Weisman.

ACTION OF BOARD—Laid over to July 2, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board.

Adjourned, 1:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JUNE 18, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

164-37-BZ.

APPLICANT—Lama and Proskauer, for Charles Hoffman, lessee; Bessie Greenwald, owner.

SUBJECT—Application for consideration—reopening, extension of permit and amendment of resolution—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—9716-9718 Church avenue, south side, 72 ft. 6½ in. west of East 98th street (Block No. 4718, Lot Nos. 41 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

557-20-BZ.

APPLICANT—William A. Rolleston, for Goble Garage Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7e of the building zone resolution, permitting in an unrestricted use district, extending into a business use district, the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1573 Jerome avenue, west side, 52.2 ft. south of Belmont avenue (now known as Mount Eden avenue); (Block No. 2859, Lot No. 46), Borough of The Bronx.

APPEARANCES—

For Applicant: William A. Rolleston.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(557-20-BZ)

WHEREAS, this application, under section 7e of the building zone resolution, to permit in an unrestricted use district, extending into a business use district, the erection of a garage

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for more than five (5) motor vehicles; premises 1573 Jerome avenue, west side, 52.2 ft. south of Mount Eden avenue (Block No. 2859, Lot No. 46), Borough of The Bronx, was granted by the Board October 19, 1920, on certain conditions; and

WHEREAS, William A. Rolleston, for Goble Garage Company, Incorporated, owner, requested an amendment of the resolution as to signs.

Resolved, that the resolution adopted by the Board on October 19, 1920, be and it hereby is *amended*, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the front of the building shall be constructed of pressed brick with stone trim and of an ornamental character; that the rear and side walls shall be unpierced throughout their entire length and height; that any skylights shall be glazed with plain glass protected by wire screens above and below; that signs shall be restricted to permanent signs attached to the Jerome avenue facade of the building, substantially as indicated on plans marked 'Received June 4, 1940,' including projecting sign advertising only the brand of gasoline on sale, permitting such sign to be illuminated and extending beyond the building line a distance of not more than 5 ft."

74-37-BZ.

APPLICANT—Benjamin Lazaroff, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under sections 7a, 7c and 21 of the building zone resolution, permitting in a residence use district the extension of an existing business use and, also, the omission of the required rear yard.

PREMISES AFFECTED—255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin Lazaroff.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(74-37-BZ)

WHEREAS, this application affecting premises 225 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan, was granted by the Board June 15, 1937, on certain conditions, time extended September 27, 1938, and June 20, 1939, and applicant requested a further extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on June 15, 1937, so far as it has relation to obtaining of permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work shall be completed within one (1) year from the date of this *amended resolution*."

770-38-BZ.

APPLICANT—Minnie Zagarino, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of

the building zone resolution, permitting in a business use district the extension and reconstruction of a gasoline service station (previously granted by the Board).

PREMISES AFFECTED—109-61 to 109-73 Van Wyck boulevard and 109-118 to 109-130 Lincoln avenue, northeast corner (Block No. 10066, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Patrick Zagarino.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(770-38-BZ)

WHEREAS, Samuels and Samuels, for Minnie Zagarino, owner, filed August 29, 1938, an application under the building zone resolution, to permit in a business use district the extension and reconstruction of a gasoline service station (previously granted by the Board); premises 109-61 to 109-73 Van Wyck boulevard and 109-118 to 109-130 Lincoln avenue, northeast corner (Block No. 10066, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board March 14, 1939, on certain conditions, resolution amended October 17, 1939, and the owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 14, 1939, as amended October 17, 1939, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 and section 7, subdivision c, to permit the rearrangement and extension of the existing gasoline service station, substantially as indicated on revised plans showing plot layout, marked 'Received February 14, 1939,' and as to general arrangement of accessory building and walls on the northerly lot line, as indicated on plans marked 'Received March 13, 1939,' *on condition* that the entire plot shall be leveled substantially to the grade of the adjoining streets; that there shall be a wall constructed along the northerly lot line where the wall of the accessory building does not occur, for a height of not less than 4 ft. to the building line of Van Wyck boulevard; that the entire area, where not covered by accessory buildings, walls and planting, shall be paved with new cement paving; that street curbs shall be erected on Van Wyck boulevard and Lincoln avenue and sidewalks constructed surrounding the premises on such streets; that the entrances shall be restricted to two to Van Wyck boulevard and two to Lincoln avenue, no entrance to exceed 25 ft. in width with curb cuts opposite of similar width; that no curb cut shall be nearer the northerly lot line on Van Wyck boulevard than 15 ft. and not nearer the intersection of Van Wyck boulevard and Lincoln avenue than 10 ft.; that there shall be no entrance to the premises at the intersection of Van Wyck boulevard and Lincoln avenue; that planted areas shall be maintained substantially as indicated on plans marked 'Received February 14, 1939,' and that such area shall be protected with concrete curbs not less than 6 in. in width and 6 in. in height; that gasoline pumps erected on the premises shall not be nearer than 15 ft. to the building line of either street and shall be of the design as approved by the Park Department for parkways; that during the term of this

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variance the premises shall be used for no other use than as herein permitted; that no automobile repairing shall be carried on on the premises and no parking of cars other than those being serviced; that the accessory building shall be constructed of masonry on either stone or brick; that the roof shall be surfaced with natural slate; that there shall be no windows opening on the interior lot lines; that the accessory building shall be constructed of new fireproof materials, except that the door frames and doors, window frames and sash may be of wood; that closure doors may be constructed on the greasing section provided hydraulic type of greasing lifts are installed; that any heating boiler installed in the building shall be within a fireproof enclosed room separated from the balance of the building by fireproof construction and enterable only from the exterior, unless a unit heater, as approved by the Board of Standards and Appeals for such use is installed; that signs shall be restricted to a permanent sign attached to the facade of the accessory building, excluding all wall and roof signs and all temporary signs, but permitting the erection of not over three (3) post standards within the building line for advertising solely the brand of gasoline on sale, and permitting such signs, which may be illuminated, to extend beyond the building line for a distance of not over 4 ft.; that at the intersection of Van Wyck boulevard and Lincoln avenue the planting areas shall be extended across the entire distance between the two streets; that complete working drawings shall be submitted for the approval of the chairman on behalf of the Board before same are filed with the borough superintendent of buildings; that such plans shall be submitted within one month from the date of this amended resolution, and that after approval all work shall be completed within one (1) year therefrom; that in the event the owner desires to install an additional gasoline storage tank, making a total of five, such additional tank may be permitted; *that the central islands required to be planted with curbing around same, as shown on plans approved as complying with this resolution on June 30, 1939, may be omitted between the entrance from Van Wyck boulevard and from Lincoln avenue.*

1478-39-BZ.

APPLICANT—Arthur W. Renander, for Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James J. Curley.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1478-39-BZ)

WHEREAS, Arthur W. Renander, for Estate of Michael J. Degnon and Hillside Jamaica Home Building Corporation, owners, filed December 5, 1939, an application under sec-

tion 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 175-01 to 175-65 Hillside avenue, northeast corner of 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board March 12, 1940, on certain conditions, and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 12, 1940, only so far as it has reference to the time to complete the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved completed within two (2) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

263-40-A.

APPLICANT—James A. Boyle, for George S. Thain, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: James A. Boyle.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to July 2, 1940, at 2 P.M., for further consideration by the Board.

354-40-A.

APPLICANT—Chester W. Campbell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

OWNER OF PREMISES—Paul and Juliet Toth.

SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N.B. 3110-37.

PREMISES AFFECTED—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Inspector O'Donohue.

ACTION OF BOARD—Laid over to July 2, 1940, at 2 P.M., to await record from Building Department.

493-40-A.

APPLICANT—Lauritz Lauritzen, for the Very Rev. Msgr. J. Jerome Leddy, Director of Catholic Charities.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101-103 Greene avenue, northeast corner of Vanderbilt avenue (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant None.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for appellant to file plans.

554-40-A.

APPLICANT—Lama and Proskauer, for Margaret R. Di-Gioia, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

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PREMISES AFFECTED—2146 Gerritsen avenue, west side, 280ft. north of Avenue U (Block No. 7341, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abram Shlefstein, Alfred A. Lama, Margaret DiGioia, Robert Witt, Joe Luzzer, and others.

For Opposition: Paul Friedman and William M. Calder.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 12, 1940, at 10 A.M., for further hearing by the Board.

597-40-A.

APPLICANT—B. Meredith Langstaff, counsel for Brooklyn Heights Association and, also, for Bertha Backus Brown, adjoining owner.

OWNER OF PREMISES—Bohack Realty Corporation.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 52286.

PREMISES AFFECTED—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: R. S. Hardy.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., on request of appellant.

603-40-A.

APPLICANT—Pasquale Falco, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—269 Avenue C, west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving R. Wetzler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for inspection by a committee of the Board.

606-40-A.

APPLICANT—Samuel Hellerman, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frances Hellerman.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for inspection by a committee of the Board.

616-40-A.

APPLICANT—Lymo Drug Corporation (lessee), Max Mogil, president, for Nivelle Corporation, owner.

SUBJECT—Appeal from a decision—re violation of the acting borough superintendent of buildings.

PREMISES AFFECTED—55 Fifth avenue, northeast corner of East 12th street (Block No. 570, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathan Rosenblatt.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., on request of appellant's representative.

624-40-A.

APPLICANT—Violet Lewis, for Violet Lewis and Margaret Lewis, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—90-36 198th street, west side, 300 ft. south of 90th avenue (Block No. 10466, Lot No. 56), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Violet Lewis and Margaret Lewis.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to June 25, 1940, at 2 P.M., for inspection by a committee of the Board.

598-40-A.

APPLICANT—M. Allen Schlendorf, for Liebmann Breweries, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—53-67 Forrest street, 52-66 Montieth street and 36-54 Evergreen avenue (Block No. 3142, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf, Herman Reese and F. Ebbels.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal dismissed as not being properly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

445-40-A.

APPLICANT—Jacob Lubroth, for George Powers, owner (Louis Meyers, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Lubroth.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(445-40-A)

WHEREAS, Jacob Lubroth, for George Powers, owner, filed April 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 551-555 Fulton street, north side, 43 ft. east of Bond street, and 6-10 DeKalb avenue (Block No. 2093, Lot Nos. 31, 32 and 33), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on an amendment to Permit Nos. 4223-4224-38, dated April 22, 1940, reads:

"Exits from cellar inadequate in that stairway to DeKalb Avenue is less than 4' 0" in width and is not separately enclosed as required by Section 6.1.10 of the Building Code."

and

WHEREAS, the building is three stories (35 ft.) in height, 60 ft. by 90 ft. average in area; of Class 3 construction; erected in 1871; located in a business use district, and occu-

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pied: cellar, restaurant, 75 persons; first story, restaurant and stores; second story, showrooms; third story, showrooms; and

WHEREAS, the applicant contends that a variation of section 6.1.10 is requested to permit the occupancy of 144 persons in the cellar on the grounds that the cellar is only 12 ft. below grade; that it is provided with an approved stairway, 3 ft. 8 in. wide, leading directly to DeKalb avenue, and one open iron stairway, 4 ft. wide, leading to Fulton street; that the building is sprinklered throughout; that under section 6.1.10 the allowed occupancy would be between 350 and 450 persons if the enclosed stairway was 4 ft. instead of 3 ft. 8 in. as at present; that as the requested occupancy is less than one-third of the number allowed if the enclosed stairway would have been 4 ft. in width, request is made that this appeal be granted; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, dated April 22, 1940, acting on amendment to Permit Nos. 4223 and 4224 of 1938, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the premises shall be arranged as to exits substantially as indicated on plans marked "Received June 14, 1940"; that the alcove partitions and tables shall be fastened to the floor; that the aisles shall be maintained substantially as shown; that there shall be a continuous horizontal passage maintained not less than 3 ft. in width from the easterly aisle of Building No. 555 Fulton street to the westerly aisle of Building at No. 553 Fulton street; that the alcove enclosure shall be removed near the bottom of the stairway in No. 553 Fulton street leading to the street; that a space not less than 3 ft. wide shall be left free at all times at all exits; that on the first story of No. 553 Fulton street the doorways leading to vestibule at DeKalb avenue shall be equipped with approved panic bolts so as to be readily openable at all times; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that in all other respects the construction and occupancy shall be in compliance with all laws, rules and regulations applicable thereto.

559-40-A.

APPLICANT—McCrorry Stores Corporation (lessee), for 1365 Broadway Brooklyn Corporation, owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMISES AFFECTED—5110-5116 Fifth avenue, west side, 63.58 ft. south of 51st street (Block No. 799, Lot Nos. 29½ and 41½), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Quinn.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(559-40-A)

WHEREAS, McCrorry Stores Corporation, applicant, for 1365 Broadway Brooklyn Corporation, owner, filed May 23, 1940, an appeal from orders of the fire commissioner; premises 5110-5116 Fifth avenue, west side, 63.58 ft. south of 51st street (Block No. 799, Lot Nos. 39½ and 41½), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4777-LF, dated May 7, 1940, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the

Fire Commissioner. C19-161.0 Administrative Code." and

WHEREAS, the order of the fire commissioner, Order No. 4161-LF, dated February 7, 1940, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply, arranged and equipped as per Art. 16, Ch. 36, Admin. Code."

and

WHEREAS, the building is three stories (35 ft.) in height, 58 ft. by 100 ft. in area; of Class 1 construction; located in a business use C area district; erected in 1929, and occupied: cellar, classroom and service room, 10 persons; first story, salesroom, 120 persons; second story, restaurant, 30 persons; third story, dwelling, 6 persons; and

WHEREAS, the applicant contends that it is proposed to install a non-automatic sprinkler system in the basement, as outlined on plans filed herewith, in lieu of compliance with the orders of the fire commissioner.

Resolved, that the order of the fire commissioner, Order No. 4777-LF, be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 1, on condition that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼-inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk; that the cap of this hose inlet and sign stating area covered shall be painted aluminum; that the sprinklers may be omitted in the room where the heating system for the building is located, provided such room is separated from the balance of the cellar by fireproof walls and self-closing fireproof door.

576-40-A.

APPLICANT—Stanford Mirror and Metal Products Company, Incorporated (lessee), for Estate of Sidney Maddock (Central Hanover Bank and Trust Company and Paul L. Maddock, trustees), owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—22-26 Howard street, north side, 25 ft. east of Crosby street, and 5-7 Crosby street (Block No. 233, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Hyman Podell and Abraham Pavenick.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(576-40-A)

WHEREAS, Stanford Mirror and Metal Products Company, Incorporated (lessee), for Central Hanover Bank and Trust Company and Paul L. Maddock as trustees for the Estate

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of Sidney Maddock, owner, filed May 23, 1940, an appeal from an order of the fire commissioner; premises 22-26 Howard street, north side, 25 ft. east of Crosby street, and 5-7 Crosby street (Block No. 233, Lot No. 30), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 19964-LC, dated December 1, 1939, reads:

"Before a permit may be issued for the storage of lacquer, etc., the following must be done:

1. Discontinue the storage or manufacture of nitro-cellulose products on these premises. Sec. C-19-110.0.A. and C-19-0.B-4, Art. 19, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated April 25, 1940; and

WHEREAS, the building is six stories and basement (78 ft.) in height, 75.1 ft. by 116.1½ ft. in area; of Class 3 construction; equipped with a standpipe and sprinkler system; located in an unrestricted use B area district; erected prior to 1881, and occupied as follows: cellar, stock room, 2 persons; first story, machine manufacturing, 10 persons; second story, mirror and metal products manufacturing, 15 persons; third story, same, 15 persons; fourth story, machine storage, no persons; fifth story, machine manufacturing, 25 persons; sixth story, envelope manufacturing, 12 persons; and

WHEREAS, the applicant contends that in the operation of the business it is essential that some nitro-cellulose products be stored on the premises; that these products are not manufactured on the premises; that the celluloid is delivered cut and shaped, and the pieces of celluloid are then inserted in mirrors which are manufactured on the premises; that this limited use of celluloid in no way increases the fire hazard; that the celluloid will be stored in a cabinet constructed of incombustible material with vents to the outer air; that the building is fully sprinklered, and a safety organization of employees is maintained under the supervision of the State Insurance Fund.

Resolved, that the order of the fire commissioner, Order No. 19964-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, on condition that the amount of nitro-cellulose material stored shall at no time exceed 100 pounds; that except for such material actually used in production of merchandise and on which no manufacturing operations as to sawing, cutting or heating is to be carried on, the stock shall be stored in an approved double-wall cabinet satisfactory to the fire commissioner, such cabinet to be vented to the outer air and equipped with a sprinkler head; that the standpipe and sprinkler systems shall be maintained to the satisfaction of the fire commissioner, and that in all other respects the premises shall be maintained to the satisfaction of the fire commissioner.

588-40-A.

APPLICANT—A. R. Ullrich, for Department of Public Welfare, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—163 Bradford street, east side, 100 ft. north of Liberty avenue (Block No. 3691, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Fitzpatrick.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(588-40-A)

WHEREAS, A. R. Ullrich, for Department of Welfare, City of New York, owner, filed June 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 163 Bradford street, east side, 100 ft. north of Liberty avenue (Block No. 3691, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2325-40, dated May 16, 1940, reads:

"Proposed frame extension for business use in fire limits contrary to Sections 4.1.2 and 4.2.1 Building Code. Proposition denied."

and

WHEREAS, the building is two stories (25 ft.) in height, 50 ft. by 90 ft. in area; of Class 6 construction; located in an unrestricted use district; erected prior to 1900, and occupied as a school; it is proposed to occupy the building: basement, boiler-room and gymnasium, 2 persons; first story, offices, 150 persons; second story, offices, 150 persons; and

WHEREAS, it is proposed to erect a two-story frame extension at the rear and to use the building as offices for two consolidated existing welfare district offices; and

WHEREAS, the applicant contends that the extension is of a temporary nature and it is therefore essential that it be constructed as economically as possible; that the construction of said extension will permit the consolidation of two district offices and result in a rental saving of \$10,000 per annum for the City of New York.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. No. 2325-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be plastered throughout with wire lath and plaster; that the exterior of the building shall be covered with incombustible weather servicing; that the building shall be used only as proposed for a temporary permit not exceeding five (5) years from the date of this variance, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

595-40-A.

APPLICANT—Edwin W. Kleinert, for Tilyou Realty Company, owner (Steeplechase Amusement Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—1602 Surf avenue, southwest corner of West 16th street (Block No. 7073, Lot Nos. 1 and 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
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Negative	0
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THE RESOLUTION—

(595-40-A)

WHEREAS, Edwin W. Kleinert, for Tilyou Realty Company, owner, filed June 3, 1940, an appeal from an order of the fire commissioner; premises 1602 Surf avenue, southwest corner of West 16th street (Block No. 7073, Lot Nos. 1 and 14), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 83836-LC, dated May 13, 1940, reads:

"1. Remove all gasoline from the premises, and discontinue the further storage of gasoline on said premises. Section C-19-51-1, of the Administrative Code

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states that no permit shall be issued for the storage of volatile inflammable oil (gasoline) in any building which is occupied as a tenement house, dwelling, school or place of public assembly."

and

WHEREAS, the premises consist of a plot 596 ft. by 855 ft. in area, operated as an amusement park, and located in a business use district; and

WHEREAS, it is proposed to store two five-gallon safety cans of gasoline in a concrete box with a steel plate cover, as shown on the plans filed with this appeal; and

WHEREAS, the applicant contends that the storage of gasoline is necessary for the operation of a miniature railroad train which is propelled by gasoline; that this train operates in the open air throughout its entire line; that no gasoline fumes can accumulate; that not more than ten gallons of gasoline will be stored at any one time; that no hazard is involved; that the Board has granted similar appeals under Cal. Nos. 336-39-A, 449-39-A and 538-39-A.

Resolved, that the order of the fire commissioner, Order No. 83836-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, on condition that the gasoline shall be stored in approved five-gallon safety cans enclosed in a concrete compartment below grade, constructed and arranged as indicated on plan filed with this appeal marked "Received June 3, 1940"; that such gasoline shall not exceed ten (10) gallons in quantity and shall be solely for use for the purpose as proposed.

612-40-A.

APPLICANT—Louis A. Reiter, for Sadie Schechter, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—5315 13th avenue, east side, 60 ft. 2½ in. north of 54th street (Block No. 5670, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis A. Reiter.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(612-40-A)

WHEREAS, Louis A. Reiter, for Sadie Schechter, owner, filed June 7, 1940, an appeal from an order of the fire commissioner; premises 5315 13th avenue, east side, 60 ft. 2½ in. north of 54th street (Block No. 5670, Lot No. 4), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4819-LF, dated May 9, 1940, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. C19-161.0 Admin. Code."

and

WHEREAS, the building is three stories (32 ft.) in height, 20 ft. by 79 ft. in area at first story and 20 ft. by 59 ft. in area at typical floor level; of Class 3 construction; erected in 1914; located in a business use C area district, and occupied: cellar, boiler-room and mattress cleaning, 1 person; first story, store, 2 persons; second story, dwelling, one family; third story, same; and

WHEREAS, the applicant contends that the first story store is used for the sale of bedding accessories; that in conjunction therewith the cellar is used as a boiler-room for a machine used to sterilize old mattresses; that there is a 20-foot-wide open stone stair at the front of the building within

the setback from the building line; that there is also a rear stair leading from the cellar to the brick extension of the first story, with access thence to the rear yard by means of a door from the rear of the first story; that the use of the cellar consists of sterilizing old mattresses and separating and cleaning the ticking for the purpose of rebuilding mattresses; that no persons are employed other than the owner and his wife; that the cellar ceiling is covered with ½-inch-thick asbestos with joints plastered; that the portion of the cellar used for this process is closed on three sides with brick walls, and on one side with a partition of frame covered with metal; that in view of the accessibility to the cellar for fire-fighting purposes, and of the low occupancy of the building, and that it would be a financial hardship to be compelled to comply with the order, a modification is requested.

Resolved, that the order of the fire commissioner, Order No. 4819-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, on condition that there shall be installed throughout the cellar a sprinkler system complying with the requirements of the building code therefor, except that the source of water may be the domestic supply of the building, provided the water service from the street is not less than one (1) inch in diameter; that no siamese connection need be installed; that the sprinkler system need not be installed in the boiler-room, provided the boiler-room is separated from the balance of the cellar by fire-retarded or fireproof partitions.

625-40-A.

APPLICANT—Oscar I. Silverstone, for Salem Homes Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—46-30 and 46-36 195th street, west side, 280 ft. and 320 ft. south of 46th avenue (Block No. 5550, Lot No. 23), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schulman.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(625-40-A)

WHEREAS, Oscar I. Silverstone, for Salem Homes Corporation, owner, filed an appeal from a decision of the borough superintendent of buildings; premises 46-30 and 46-36 195th street, west side, 280 ft. and 320 ft. south of 46th avenue (Block No. 5550, Lot No. 23), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Applications 3702 and 3703-40, dated June 4, 1940, and reconsidered June 11, 1940, reads:

"The erection in the fire limits of a frame dwelling and an accessory garage with a frame gable front, is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 99.03 ft. on 95th street and 94.40 ft. on 47th avenue; located in a business and residence use D area district; it is proposed to subdivide the plot into two separate lots and to erect upon each lot a one and one-half story frame dwelling, 15 ft. in height, 27 ft. by 32 ft. 9 in. in area, to be of Class 4 construction, and a one-car garage, 10 ft. 10 in. by 20 ft. 2 in. in area, to be of Class 3 construction; and

WHEREAS, the applicant contends that the buildings will be set back 25 ft. from 195th street, except for front steps,

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which will project into the said setback 5 ft. 8 in. and for a width of 4 ft.; that the corner building will have a northerly side yard of 8 ft. into which a side entrance 3 ft. wide will project; that a chimney breast approximately 2 ft. in width will also project into the setback; that the building will be set back from 47th avenue approximately 27 ft.; that the building known as 46-30 195th street and located 59.03 ft. north of 47th avenue will have a side yard on the south side 5 ft. wide into which a side entrance 3 ft. wide and a chimney breast approximately 2 ft. in width will project; that on the north side the building will have a side yard of 8 ft.; that the buildings will be surfaced on the exterior with asbestos siding except for the front elevation which will be brick veneer; that roofs will be surfaced with asphalt shingles; that the garages will be 3 in. from the rear and side lot lines; that the use of the street for business purposes is impractical as there are sufficient business streets in the neighborhood; that the balance of the development will consist of frame structures; that it may be necessary as these buildings are sold to change the area of each building, but in no case will the buildings exceed the area as stated in this appeal.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 3702-40 and 3703-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the residential building on each lot shall be restricted to the use of one (1) family only, and shall be constructed as proposed, and shall meet all the requirements of the building code for a similar structure erected outside of the fire limits; that the distance between the main walls of the building on adjoining lots shall be not less than 13 ft.

626-40-A.

APPLICANT—Oscar I. Silverstone, for Salem Homes Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-27, 46-31 and 46-35 195th street, east side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schulman.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(626-40-A)

WHEREAS, Oscar I. Silverstone, for Salem Homes Corporation, owner, filed June 11, 1940, an appeal from decisions of the borough superintendent of buildings; premises 46-27, 46-31 and 46-35 195th street, east side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application 3704-1940, affecting premises 46-27 195th street, dated June 6, 1940, reads:

"The erection of a frame dwelling located partly inside and partly outside the Fire limits is contrary to section 4.1.2 of the Building Zone."

and

WHEREAS, the decisions of the borough superintendent of buildings, relating to New Building Applications 3705 and 3706 of 1940, affecting premises 4631 and 4635 195th street, read:

"The erection in the fire limits of a frame dwelling

and an accessory garage with a frame gable front is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 135.87 ft. on 195th street and approximately 100 ft. on 47th avenue; located in business and residence use D area districts; it is proposed to subdivide the plot into three separate lots and to erect upon each lot a one and one-half-story frame dwelling 15 ft. in height and 27 ft. by 32 ft. 9 in. in area, with a brick veneer front and asbestos siding on the side and rear; to erect also a one-car garage of masonry construction (with front frame gables) 10 ft. by 10 ft. by 20 ft. 2 in. in area; and

WHEREAS, the corner building, known as 46-35 195th street will be set back 25 ft. from 195th street with a front stoop extending into said setback 5 ft. 8 in.; the building will be set back from 47th avenue approximately 15 ft. and will have a side yard on the northerly side of 8 ft., into which a side entrance will project 3 ft. and a chimney breast 2 ft.; the building known as 46-31 195th street will be set back from 195th street 25 ft., into which setback a front stoop will project 5 ft. 8 in. and for a width of 4 ft.; it will have a side yard on the southerly side of 5 ft., into which a side entrance 3 ft. wide and a chimney breast approximately 2 ft. wide will project, and also a side yard on the north of 8 ft.; the building known as 46-27 195th street will be set back 25 ft. from 195th street, into which setback a front stoop will project for a distance of 5 ft. 8 in. and for a width of 4 ft.; this building will have a side yard on the south side of 5 ft., into which yard side entrance steps 3 ft. wide and a chimney breast will project; the building will have a side yard on the northerly lot line of 8 ft.; in connection with each dwelling there will be erected a one-car private garage, 20 ft. 2 in. by 10 ft. 10 in., of masonry construction, and with frame front gables; the garages will be erected 3 in. from the side and rear lot lines; the garage located on the plot known as 46-27 195th street is not affected by this appeal, being located entirely outside the fire limits; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical as there are sufficient business streets in the neighborhood; that the balance of the development will consist of frame structures; that it may be necessary as these buildings are sold to change the area of each building, but in no case will the buildings exceed the area as stated in this appeal.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 3704-40, 3705-40 and 3706-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the residential buildings on each lot shall be restricted to the use of one (1) family only, and shall be constructed as proposed, and shall meet all the requirements of the building code for a similar structure erected outside of the fire limits; that the distance between the main walls of the building on adjoining lots shall be not less than 13 ft.

627-40-A.

APPLICANT—Oscar I. Silverstone, for Salem Homes Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-28, 46-32 and 46-36 196th street, west side, 240 ft., 280 ft. and 320 ft. south of 46th avenue (Block No. 5551, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schulman.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

MINUTES

Carthy 4
Negative 0
THE RESOLUTION—
(627-40-A)

WHEREAS, Oscar I. Silverstone, for Salem Homes Corporation, owner, filed June 11, 1940, an appeal from decisions of the borough superintendent of buildings; premises 46-28, 46-32 and 46-36 196th street, west side, 240 ft., 280 ft. and 320 ft., respectively, south of 46th avenue (Block No. 5551, part of Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Application Nos. 8373, 8374 and 8375-40, dated March 28, 1940, read:

"The erection of a frame dwelling partly in the fire limits and partly outside the fire limits, is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application Nos. 8381-40, 8382-40 and 8383-40, concerning the garages, reads:

"The erection of a private garage the front gable of which is frame is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 125.34 ft. on 196th street and approximately 100 ft. on 47th avenue; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect upon each lot a one-family dwelling, one and one-half stories (19 ft.) in height, 27 ft. by 36 ft. 3 in. maximum in area, and a one-car garage, 10 ft. 10 in. by 20 ft. 2 in. in area; the dwellings will be of frame construction, surfaced on the front with 4 in. of brick veneer, on the sides and rear with asbestos siding, and on the roofs with asphalt shingles; the garages will be of masonry construction with front frame gables; the dwellings will be set back 23 ft. from 196th street with projections of front stoops, porches or bay windows not to exceed 7 ft.; the corner building will be set back approximately 11 ft. from 47th avenue and will have a 7 ft. side yard along the north lot line into which side entrance steps 3 ft. wide and a 2 ft. chimney breast will project; the building to be located 45 ft. north of 47th avenue will have a 6 ft. side yard on the south lot line with a chimney breast projecting approximately 2 ft. and a 9 ft. side yard on the north lot line; the building 95 ft. north of 47th avenue will have an 8 ft. 4 in. side yard on the south lot line and a 5 ft. side yard on the north lot line, into which side entrance steps will project 3 ft.; all garages will be located within 3 in. of the side and rear lot lines, except the corner lot where the garage will be located 3 in. from the west rear lot line and set back 15 ft. from 47th avenue; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical as there are sufficient business streets in the neighborhood; that the balance of the development will consist of frame structures; that it may be necessary as these buildings are sold to change the area of each building, but in no case will the buildings exceed the area as stated in this appeal.

Resolved, that the decisions of the borough superintendent of buildings, on N.B. Applic. Nos. 8373-40, 8374-40 and 8375-40, as to residential buildings, and Applic. Nos. 8381-40, 8382-40 and 8383-40, as to garages accessory thereto, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the residential building on each lot shall be restricted to the use of one (1) family only and shall be constructed as proposed and shall meet all the requirements of the building code for a similar structure erected outside of the fire limits; that the distance between the main walls of the building on adjoining lots shall be not less than 13 ft.; that the garage covered by Applic. No. 8383-39 shall be set back from 47th avenue not less than 15 ft. therefrom.

628-40-A.

APPLICANT—Oscar I. Silverstone, for Salem Homes Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-29 and 46-33 196th street, east side, 263 ft. and 307 ft. south of 46th avenue (Block No. 5552, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schulman.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(628-40-A)

WHEREAS, Oscar I. Silverstone, for Salem Homes Corporation, owner, filed June 11, 1940, an appeal from decisions of the borough superintendent of buildings; premises 46-29 and 46-33 196th street, east side, 263 ft. and 307 ft. south of 46th avenue (Block No. 5552, part of Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Applic. Nos. 30-40 and 31-40, dated March 28, 1940, read:

"The erection of a frame dwelling in the fire limits is contrary to sec. 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 8365-40 and 8366-40, dated June 4, 1940, reads:

"The erection of a garage, the front gable of which is in frame construction is contrary to sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 99.18 ft. on 196th street and approximately 100 ft. on 47th avenue; located in a business use D area district; it is proposed to subdivide the plot into two separate lots and to erect on each lot a one-family frame dwelling not to exceed 27 ft. by 32 ft. 9 in. in area and a one-car garage, 10 ft. 10 in. by 20 ft. 2 in. in area; the dwelling on the corner known as 46-33 196th street will be set back 25 ft. from 196th street, into which setback a front porch and entrance steps will project 6 ft. 8 in.; the building will be set back approximately 14 ft. from 47th avenue; a side yard 8 ft. in width will be provided on the north lot line, into which side entrance steps will project for a distance of 3 ft. and a chimney breast for a distance of 2 ft.; the dwelling located on the portion of the plot 55 ft. north of 196th street will have a 5 ft. side yard on the south lot line and one 12 ft. 4 in. on the north lot line, into which latter yard side entrance steps will project for a distance of 3 ft.; the building will be set back from 196th street for a distance of 24 ft., into which setback front entrance steps will project for a distance of 5 ft. 8 in.; the garage to be located on the plot 55 ft. north of 47th avenue will be erected 3 in. from the side and rear lot lines; the garage on the corner lot will be erected 3 in. from the easterly lot line and set back not less than 15 ft. from 47th avenue; all dwellings will be surfaced on the exterior with asbestos siding, except for the front elevations which will be of brick veneer; the garages will be of masonry construction with front frame gables; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical as there are sufficient business streets in the neighborhood; that the balance of the development will consist of frame structures; that it may be necessary as these buildings are sold to change the area of

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each building, but in no case will the buildings exceed the area as stated in this appeal.

Resolved, that the decisions of the borough superintendent of buildings, on N.B. Applic. Nos. 30-40 and 31-40, as to residential buildings, and Applic. Nos. 8365-40 and 8366-40, as to garages accessory thereto, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the residential buildings on each lot shall be restricted to the use of one (1) family only, and shall be constructed as proposed, and shall meet all the requirements of the building code for a similar structure erected outside of the fire limits; that the distance between the main walls of the building on adjoining lots shall be not less than 13 ft.; that the garage covered by Applic. No. 8366-39 shall be set back from 47th avenue not less than 15 ft. therefrom.

629-40-A.

APPLICANT—Oscar I. Silverstone, for Salem Homes Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—46-28, 46-32 and 46-36 196th place, west side, 252.72 ft., 292.72 ft. and 332.72 ft. south of 46th avenue (Block No. 5552, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schulman.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(629-40-A)

WHEREAS, Oscar I. Silverstone, for Salem Homes Corporation, owner, filed June 11, 1940, an appeal from a decision of the borough superintendent of buildings; premises 46-28, 46-32 and 46-36 196th place, west side, 252.72 ft., 292.72 ft. and 332.72 ft. south of 46th avenue (Block No. 5552, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application Nos. 3707-40, 3708-40 and 3709-40, dated June 4, 1940, and reconsidered June 11, 1940, reads:

"The erection in the fire limits of a frame dwelling and an accessory garage with a frame gable front, is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 125 ft. on 196th place and approximately 100 ft. on 47th avenue; located in a residence and business use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one and one-half story frame dwelling, 15 ft. in height, 27 ft. by 32 ft. 9 in. in area, and a one-car garage, 10 ft. 10 in. by 20 ft. 2 in. in area, as masonry construction, with front frame gables; the dwellings will be set back 23 ft. from 196th place, into which setback front entrance steps will project for a distance of 5 ft. 8 in.; the dwelling on the corner will be set back from 47th avenue for an average distance of 10 ft., and will be provided with an 8 ft. wide side yard on the north lot line, into which yard side entrance steps 3 ft. wide and a chimney breast approximately 2 ft. in depth will project; the two dwellings located north of the corner lot will be provided with 8 ft. side yards on the north lot lines and 5 ft. side yards on the south lot lines, into which yards will project side entrance steps 3 ft. in width and chimney breasts approximately 2 ft. in width; the garages will be located 3 in. from the side and rear lot lines; the dwellings will be surfaced on the exterior with

asbestos siding, except for the front elevations which will be of brick veneer; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical as there are sufficient business streets in the neighborhood; that the balance of the development will consist of frame structures; that it may be necessary as these buildings are sold to change the area of each building, but in no case will the buildings exceed the area as stated in this appeal.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 3707-40, 3708-40 and 3709-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the residential building on each lot shall be restricted to the use of one (1) family only, and shall be constructed as proposed, and shall meet all the requirements of the building code for a similar structure erected outside of the fire limits; that the distance between the main walls of the building on the adjoining lots shall be not less than 13 ft.

630-40-A.

APPLICANT—Oscar I. Silverstone, for Salem Homes Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—46-27, 46-31 and 46-35 196th place, east side, 250.77 ft., 292.77 ft. and 334.72 ft. south of 46th avenue (Block No. 5553, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schulman.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(630-40-A)

WHEREAS, Oscar I. Silverstone, for Salem Homes Corporation, owner, filed June 11, 1940, an appeal from a decision of the borough superintendent of buildings; premises 46-27, 46-31 and 46-35 196th place, east side, 250.77 ft., 292.77 ft. and 334.72 ft. south of 46th avenue (Block No. 5553, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application Nos. 3710, 3711 and 3712-40, dated June 4, 1940, and reconsidered June 11, 1940, reads:

"The erection in the fire limits of a frame dwelling and in an accessory garage with a frame gable front is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 134 ft. on 196th place and approximately 100 ft. on 47th avenue; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one and one-half story dwelling, 15 ft. in height, 27 ft. by 32 ft. 9 in. in area, and a one-car garage, 10 ft. 10 in. by 20 ft. 2 in. in area, of masonry construction, with front frame gable; all dwellings will be set back from 196th place approximately 23 ft., into which setback front entrance steps will project for a distance of 5 ft. 8 in.; the corner dwelling will be set back from 32nd avenue an average of 8 ft. and will be provided with a 5 ft. side yard on the north lot line, into which side yard side entrance steps 3 ft. wide and chimney breasts approximately 2 ft. wide will project; the dwelling to be located 50 ft. north of 47th avenue will have a 9 ft. side yard on the south lot line and a side yard of 6 ft. on the north lot line, into which side entrance steps 3 ft. in width and a chimney breast of approx-

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imately 2 ft. in width will project; the dwelling to be located 92 ft. north of 47th avenue will be provided with a side yard of 6 ft. on the southerly lot line, into which side entrance steps 3 ft. wide and a chimney breast approximately 2 ft. wide will project, and will have a side yard on the northerly lot line 9 ft. in width; the garages will be located 3 in. from the side and rear lot lines, and will be of masonry construction, with front frame gables; the two dwellings to be located within 92 ft. of the corner of 47th avenue will be surfaced on the exterior with brick veneer; the dwelling to be located 92 ft. north of 47th avenue will be surfaced on the exterior with asbestos siding, except for the front elevation which will be of brick veneer; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical as there are sufficient business streets in the neighborhood; that the balance of the development will consist of frame structures; that it may be necessary as these buildings are sold to change the area of each building, but in no case will the buildings exceed the area as stated in this appeal.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 3710-40, 3711-40 and 3712-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the residential building on each lot shall be restricted to the use of one (1) family only, and shall be constructed as proposed, and shall meet all the requirements of the building code for a similar structure outside of the fire limits; that the distance between the main walls of the building on the adjoining lots shall be not less than 13 ft.

VARIATIONS OF THE LABOR LAW.

600-40-S.

APPLICANT—William Miltenberger, for Bankers Trust Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—145-151 East 32nd street, north side, 95 ft. 6 in. east of Lexington avenue (Block No. 888, Lot Nos. 27 to 30, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: William Miltenberger and Jeremiah K. Cronin.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application withdrawn; applicant to obtain decision from Building Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

463-40-S.

APPLICANT—Joseph Lau, for Mrs. Albert Hantsche in trust for Nancy Kesser, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—312-314 Atlantic avenue, south side, 200 ft. east of Smith street (Block No. 182, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Lau.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(463-40-S)

WHEREAS, Joseph Lau, for Mrs. Albert Hantsche in trust for Nancy Kesser, owner, filed May 2, 1940, an application for a variation of the labor law as cited in a decision of the borough superintendent of buildings; premises 312-314 Atlantic avenue, south side, 200 ft. east of Grove street (Block No. 82, Lot No. 10), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1428-1940, dated April 22, 1940, reads:

"1. The use of the 2nd floor of this building may not be changed to factory use unless the exits are made to conform to the requirements of Section 270 of the Labor Law as to enclosure, etc."

and

WHEREAS, the building is two stories and mezzanine (36 ft.) in height, 50 ft. by 89 ft. 10 in. in area; of Class 3 construction; located in a business use district; erected in 1929, and occupied: cellar, stock room and storage, 4 persons; first story, sales, 10 persons; second story, storage and display room, 20 persons; it is proposed to occupy the building: cellar, first story and mezzanine, same; second story, repair of cash registers, 13 persons; the building is equipped with one interior stairs, 3 ft. 9 in. wide, of wood construction, enclosed in fire-retarded partitions, and equipped with fireproof self-closing doors, one fire escape at the rear which leads to the roof and thence by ladder to street, and windows on the course of the fire escape are fireproof self-closing; and

WHEREAS, the applicant requests consideration for this application to accept the present exit facilities and permit the use of the second story for the repair of cash registers.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. No. 1428-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the exits shall be maintained, as shown on plans filed with the borough superintendent of buildings, and that the door leading to Atlantic avenue shall be equipped with approved panic bolts, and that on the plans filed with the borough superintendent of buildings the existing hand-operated steel roller curtain at this opening adjacent to the building line shall be shown.

APPLIANCES SUBMITTED FOR APPROVAL.

134-35-SA.

APPLICANT—Anchor Post Fence Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re additional names of "Torridheat Oil Burner, Model P", and "Westinghouse Oil Burner, Model P"—re Fluid Heat (Gun Type) Oil Burner, Model P, previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(134-35-SA)

WHEREAS, Irving T. Hecht, for Anchor Post Fence Company, owner, filed May 25, 1935, an application with the Board of Standards and Appeals for approval of the device known as the Fluid Heat (Gun Type) Oil Burner, Model P; and

WHEREAS, this device was approved by the Board June 25, 1935, on certain conditions; and

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WHEREAS, the owner requested amendment of the resolution so as to market this device under the names Torridheet, Model P, and Westinghouse, Model P.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 25, 1935, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as Fluid Heat (Gun Type) Oil Burner, Model P, for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use with fuel oil not heavier than No. 3, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 134-35-SA.

Resolved further, that this appliance may be marketed under the name of Torridheet, Model P, by the Cleveland Steel Products Corporation, and as the Westinghouse, Model P, by the Westinghouse Electric and Manufacturing Corporation, *on condition* that under whichever name marketed the requirements of this resolution shall be complied with."

452-40-SA.

APPLICANT—William V. McDevit, for Erie Meter Systems, Incorporated, owner.

SUBJECT—Erie Non-Computing Pump, Models 77 and 99, approval of.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(452-40-SA)

WHEREAS, William V. McDevit, for Erie Meter Systems, Incorporated, owner, filed April 30, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Erie Non-Computing Pump, Models 77 and 99; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 20, 1940.

Re: Cal. No. 452-40-SA.

Subject: Approval of Erie Non-Computing Pump, Models 77 and 99.

William V. McDevit, for Erie Meter Systems, Incorporated, owner, filed April 30, 1940, an application with the Board of Standards and Appeals for approval of the Erie Non-Computing Pump, Models 77 and 99, under the provisions of C19-69.c, Administrative Code.

This is a gasoline distributing pump with all panels constructed of No. 16 U.S. gauge cold rolled steel. Each side panel is fastened to the two chassis columns on its respective side by means of six ¼-inch machine screws, three in each column.

The top panel fits over the side panels and is fastened to them inside the cabinet by means of ¼-inch machine screws on the side panels.

Each door is held to the side panel by two heavy concealed hinges, and each has an individual lock.

The chassis consists of four vertical columns of a special channel section pressed from ⅛-inch-thick sheet steel (11 gauge—.125 inch) to which are bolted pressed steel bridges which support the visigauge, register and meter, and a cast-iron bridge for supporting the pumping unit, air eliminator and motor.

The pressed steel bridges are formed from No. 12 gauge (.109 inch) hot rolled steel.

The pump and air eliminator are combined in the same casting.

The pump shaft is supported on the rotor and by a bearing which passes through the wall separating the pump and the atmospheric float chamber. The quantity of liquid which passes between the bearing and the shaft is sufficient to lubricate these parts.

The bearing at the pulley end of the pump shaft is located above the liquid level in the float chamber and consequently no packing gland is necessary.

The air eliminator check valve incorporates a pressure relief valve similar in construction to an automobile tire valve and which opens at a pressure of thirty-eight to forty-two pounds per square inch, P.S.I.

A standard one-inch positive displacement meter manufactured by Pittsburgh Equitable Meter Company is provided.

There is a Veeder-Root non-computing register similar in design to the standard computer.

The gallons wheels are in the position the amount of sale wheels occupy on the computer. The price per gallon indications are in the same position as on the computer and are synchronized, one side with the other, so that figures on both sides will be identical at all times.

One-third horsepower, single phase, 60 cycle, 110/220 volt, 30 minute, 55° C. temperature rise, explosion-proof motor with built-in switch and external voltage change-over are furnished as standard equipment.

All motors furnished bear the Underwriters' approval for motors used in hazardous locations, Class 1, Group D.

All pipe used inside the cabinet is standard and galvanized inside and out.

Copper tubing (.065 inch wall thickness) with brass compression fittings is used between the meter and visigauge manifold.

The visigauge outlet elbow is cast iron with a minimum wall thickness of ¼ inch.

The union for suction pipe is a standard galvanized union.

All piping joints are made up with pipe compound.

All wiring is enclosed in ½-inch black threaded conduit.

Junction boxes are cast iron, explosion-resisting, with minimum wall thickness of 3/16 inch, made to fulfill Underwriters' approved type. Junction box covers are brass.

The junction box for the lights also houses the light switch, which is Hart and Hageman No. 1562 BF.

The operating mechanism is provided with a control rod indirectly connected to the hose by a suitable clamp and operated by pulling on the hose. The arm is connected to the motor switch by a switch rod.

The interlock mechanism is connected to the hose hook lever which in turn is connected to the rod operating the motor switch in such a manner as to prohibit turning the switch on by operating the hose hook lever but insure that the switch is turned off when the nozzle is replaced on the hose hook lever or if the latter is placed in its off position by hand. Thus the interlock is in operation only at the end of each dispensing operation.

The only difference between No. 77 and No. 99 is the arrangement of the dial.

This appliance was inspected and tested by the Committee of the Board at 9 Rockefeller Plaza and found to operate satisfactorily.

MINUTES

The unit has been approved by the Underwriters' Laboratories, MH-1912, and on the basis of this inspection and test it is recommended that the Erie Non-Computing Pump be approved for use in New York City, when constructed as provided herein, and on condition that the pump bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 452-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, the report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Erie Non-Computing Pump, Models 77 and 99, on condition that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

MATERIAL SUBMITTED FOR APPROVAL.

293-40-SM.

APPLICANT—David E. Kennedy, Incorporated, owner.

SUBJECT—"Koustex" (Acoustical Tile), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(293-40-SM)

WHEREAS, David E. Kennedy, Incorporated, owner, filed March 20, 1940, an application with the Board of Standards and Appeals for approval of the material known as "Koustex" (Acoustical Tile); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 17, 1940.

Cal. No. 293-40-SM.

Re: "Koustex" (Acoustical Tile), approval of.

On March 20, 1940, David E. Kennedy, Incorporated, of Brooklyn, New York, filed an application with the Board of Standards and Appeals for approval of acoustical material known as "Koustex" for use as incombustible material under C26-88.0 (1.80) to be used as ceiling tile in all classes of buildings.

"Koustex" is manufactured of wood fibre water-proofed by a magnesite binder supplemented with magnesium salts and a small quantity of acid used as catalyst to aid drying. The wood fibre is dipped in a bath of these magnesium salts after which it is permitted to drain. Magnesite is then added to the wood fibres and thoroughly mixed after which it is placed into molds and kept under hydraulic pressure for a period of twenty-four hours. The material is then dried in drying ovens and later cut to sizes required. Mineral coloring is added as required.

Incombustibility Test

A sample of this material was tested by the Board at Columbia University—Report No. 2500 (filed herewith). The test consists of a panel 36 in. x 36 in. square, constructed of 2 in. x 4 in. wood studding which was covered by metal lath weighing 3.4 pounds per square yard. Gypsum plaster was applied over the lath to a thickness of $\frac{1}{2}$ in. to $\frac{5}{8}$ in. which consisted of one part Neat Plaster to two parts sand. The acoustical tile was then applied by means of a cement known as Koustex Mastic Compound (a magnesite preparation). This cementing was supplemented by nailing with three six-penny galvanized finishing nails, one at each unexposed corner. Samples of tiles used were 12 in. x 12 in. x 1 in. and weighed approximately 1.87 pounds per square foot.

The panel was subjected to a fire test in accordance with the standard time-temperature curve except that the time intervals were halved so as to reach 1,700 degrees Fahrenheit in thirty minutes, after which, for a period of ten minutes, the temperature was maintained at 1,700 degrees Fahrenheit. The results of the fire exposure of this panel, with the tile exposed directly to the flame, is as follows:

Time Minutes	Temp. of Flame, ° F.	Remarks
0	0—	Room Temp. = 75° F.
2	820	
4	1,210	
6	1,365	
8	1,400	8 Min.—Tile whitened over an area 4" diameter.
10	1,475	
12	1,495	
14	1,530	14 Min.—Tile whitened over an area 8" diameter.
16	1,540	
18	1,580	
20	1,620	
22	1,615	
24	1,640	
26	1,660	
28	1,670	
30	1,700	30 Min.—Tile whitened over an area 10" diameter.
35	1,700	
40	1,710	40 Min.—Test stopped. Glow continued for 30 seconds. All tile still in place. No smoke, fumes or sprawling of tile observed during test.

Acoustical Properties

A test was conducted at the Bureau of Standards—Report VI-2/Tn-87381 (filed herewith), on Kencoustex now known as Koustex, on samples and with results as follows:

The test sample consisted of 72 units 12 in. by 12 in. by 1 in. thick, which were cemented to gypsum wall board. This material was not painted. When the sample was tested for sound absorption it was laid on the floor of the reverberation chamber.

The results are as follows:

Frequency (Cycles per second)	Coefficient of Sound Absorption
128	0.12
256	.29
512	.75
1,024	.87
2,048	.71
4,096	.76
Noise Coefficient	.65
Weight per square foot	2.24
Sizes	

MINUTES

"Koustex" is made in various thicknesses ranging from $\frac{3}{4}$ in. to $1\frac{1}{4}$ in. and in tile sizes 6 in. x 12 in., 12 in. x 12 in., 12 in. x 24 in. and 12 in. x 18 in. of such coloring as may be required.

Recommendations

On the basis of the foregoing data, wherein these materials meet the absorption requirements of Federal Specification, SS-A-118, the committee recommends Approval as sound absorption materials under C26-178.0 b (2.1.2.5) and as incombustible materials under C26-88.0 (1.80) when applied in a manner as prescribed herein for use as acoustical material in *all classes* of buildings. It is further recommended that each package or container of these acoustical materials when used in New York City shall be marked, stamped or labeled reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Calendar No. 293-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as "Koustex" (Acoustical Tile), *on condition* that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

Adjourned, 4:55 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals, held on February 6, 1940, as they appeared in Bulletin No. 7, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(909-39-A)

WHEREAS, William H. Warnecke, for Peter Doelger, Incorporated (John A. Schwarz, Incorporated, lessee), filed

June 30, 1939, an appeal from an order and a decision of the fire commissioner; premises 166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 990-LF, dated July 28, 1938, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout the building having at least one source of water supply, arranged and equipped as provided in Art. 16, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 16, 1939; and

WHEREAS, the building is three stories (35 ft.) in height, 50 ft. by 100 ft. in area; located in a business use district; erected in 1900, and occupied as a furniture store; and

WHEREAS, the applicant contends that the building was altered for the present use in 1925; that adequate exits have been provided; that the merchandise stored in the cellar is mainly non-inflammable; that the cellar is divided by masonry wall protected with self-closing fireproof doors; that the boiler room is fully enclosed in masonry; that ample aisle space is provided; that the lessee only has two years to remain on the premises under the lease, which will not be renewed; that to comply with the order at this time will be a hardship as the cost of the sprinkler system would not be returned by reduction in insurance premium over two years; and

WHEREAS, this appeal was denied by the Board; reopened and reconsidered by vote of the Board.

Resolved, that the order of the fire commissioner, Order No. 990-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system meeting all the requirements of the Building Code therefor, except that all fittings shall be of malleable iron; *that the automatic fire alarm system may be omitted*; that the rug rack on the third story at the window facing Jamaica avenue and the rack on the second story shall be so arranged as to permit access to these stories from Jamaica avenue; that similar openings in partitions at the window shall be made at the rear; that the existing exit to the cellar from Jamaica avenue shall be continued; that the sale of all merchandise other than furniture and merchandise usually sold in connection therewith shall be discontinued.

* Correction—The words "*that the automatic fire alarm system may be omitted*" inserted in line 39 of resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

PUBLIC HEARING

PROPOSED RULES FOR THE TESTING AND USE OF BLENDED CEMENTS.

(584-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 19, 1940, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for the Testing and Use of Blended Cements.

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph c, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1. The purpose of these rules is to provide a basis wherein approved cements other than Portland Cements and consisting mainly of blended materials may be used wherever under the Administrative Building Code the use of Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, or processed admixtures which may be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plaster-cizing, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to the steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tongs and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test, A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test described in A.S.T.M. Specification C77-36, and the mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours, as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements.

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall be not less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq. in.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq. in.

*When tested in accordance with Fed. Spec. SS-C-158.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be equal to or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength, Lbs. Sq. In.
3 days	1 day in moist air, 2 days in water	175
7 days	1 day in moist air, 6 days in water	275
28 days	1 day in moist air, 27 days in water	350

The average tensile strength of the mortar at 7 and 28 days shall be higher than that at 3 and 7 days, respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration, application shall be made to the board for additional tests to develop these properties.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.
- 4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.
- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.
- Ducts twenty-four (24") inches or less in diameter No. 22 gauge.
- Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.
- Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.
- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
 - 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
 - 4.1.3 Surfacing of Booths.
 - 4.1.5 Surfacing of Booths.
 - 4.2.2 Maintenance of Ducts.
 - 4.2.5 Electric Lighting.
 - 4.2.6 Method of Induced Draft.
 - 4.4 Separation of Booth from Flame.
 - 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
 - 5.2 Smoking, Matches, etc.
 - 5.6 Maintenance of Equipment.
 - 5.7 Cleaning Implements.
 - 5.9 Fire Appliances.
 - 5.10 Accumulation and disposal of waste materials.
 - 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

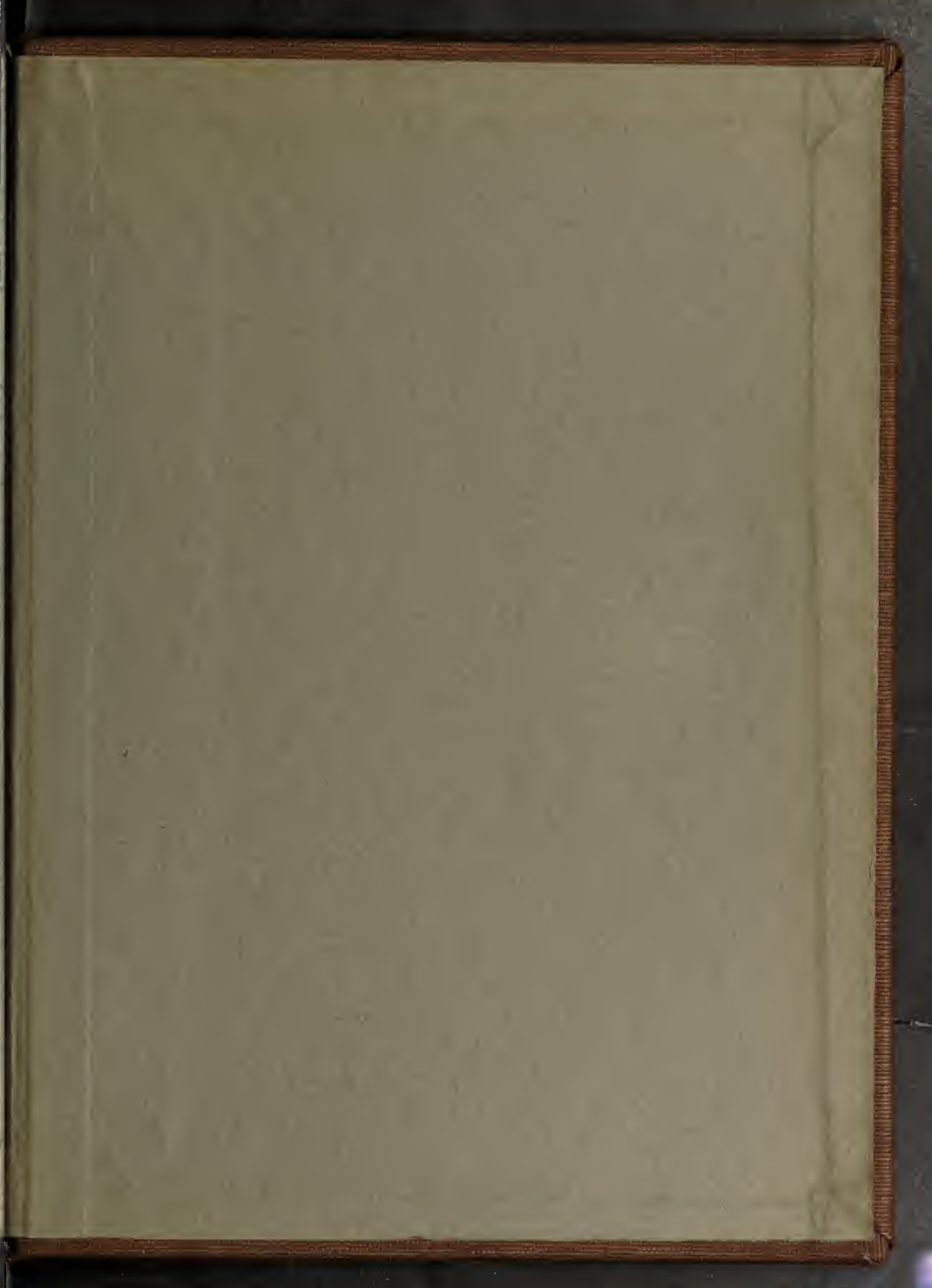
Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.



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